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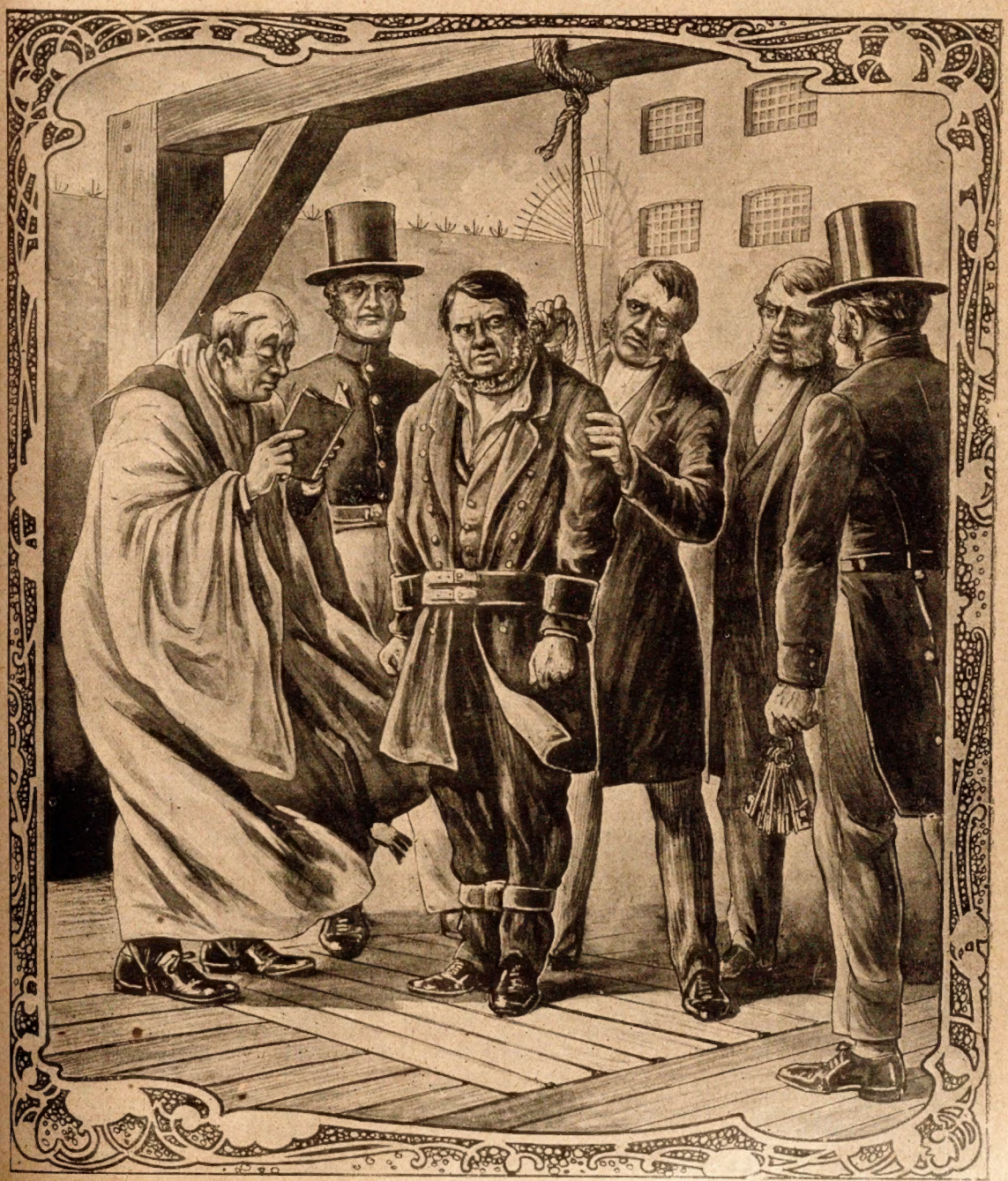


THE EXECUTION OF JAMES BLOOMFIELD RUSH.

Vol. IV.—No. 45.

JAMES BLOOMFIELD RUSH

LIBERTINE, FORGER AND ASSASSIN.

"O who could tell what deeds were wrought that day;
Or who endure to hear the tale of rage,
Hatred, and madness, and despair, and fear,
Horror, and wounds, and agony, and death."

—ROBERT SOUTHEY, "The Vengeance of Roderick."

PART II.

NOVEMBER 28, 1849, was a date to be remembered by the survivors at Stanfield Hall. The wind howled and the night was dark. To the servants who awaited the arrival of the police and the surgeons the time went very slowly. At length Drs. Nicholls and Funally, together with several police officers, arrived. How gladly were they welcomed! With just a passing look at the dead bodies of poor old Mr. Isaac Jermy and his son, they set about dressing the wounds of Mrs. Jermy and Eliza Chestney. The latter was the more seriously hurt, and the doctors declared that it was a miracle that she was not numbered with the dead. Had the charge entered her body but the fraction of an inch farther above the thigh she must have lost her life. The old lady was very severely hurt, her elbow having been shattered, and it was thought at one time it would be necessary to resort to amputation.

On examination of the bodies it was seen that the murderer had done his work only too well. The wound in Mr. Jermy, the elder, was in the left breast. The fourth, fifth, and sixth ribs had been shattered, and the force of the charge had carried the entire body of the heart away, had passed through the left lung, and lodged in the muscular part of the back. The wound in the body of the younger Mr. Jermy was small, a little above the nipple of the right breast. Both wounds must have caused immediate death.

During the doctors' work a consultation was held amongst the police officers and the servants in the kitchen. Margaret Reed, the cook, told her story. She related how after the two first reports she heard a noise like the rustling of clothes, and then other two reports followed in quick succession. She also heard screams, and rushed to the door of the servants' hall, which opened into a long, straight passage. She saw Miss Jermy running to the hall, screaming, "We shall all be murdered!" She saw at this moment a man coming towards her a few yards behind her young mistress, and he had a firearm in his right hand. It looked like a large pistol. He wore a loose garment like a cloak, with a narrow cape. He was a low, stout man. She had often seen Rush up at the Hall, and she was certain it was he. Reed and Miss Jermy made their escape and sought shelter in the stable.

It was the opinion of all the servants that the assassin was the tenant of Potash Farm, and it was determined to at once despatch one of the officers to a justice of the peace and obtain a warrant for his arrest. During the night some ten or a dozen more policemen arrived from Norwich, so there was little chance of the suspected man escaping, even if he had been so disposed.

And now let us return to the farm—the home that had once been so happy a home, but in which there was to be no more peace of mind for the miserable inmates.

It is nine o'clock, and Emily Sandford is alone in the house. The wind still howls round the eaves of the old farm and moans down the chimney, until the poor girl becomes so nervous that she is scarcely able to bear her solitude. There is something so solemn and weird about the strange noise the wind makes on this particular night that she has never heard before. Something terrible was about to happen, she was sure. Every sound that came to her ears startled her, and when the dog whined in the yard it was a relief to her to know that something living was near to her. At length she could stay by herself in the parlour no longer, and she crept up to her own bedroom, and locked herself in the apartment. The wind found its way through the window sashes and made the candle flicker and cast curious shadows on the wall. "Oh, God!" she ejaculated, "when will he return? I shall go mad! Oh, what has happened? Something terrible!" And the poor scared girl sank upon her knees by the bedside and prayed.

"What was that?" A gentle but rapid knocking at the porch door. "It is Rush returned at last. Thank God!" The girl hurriedly slips downstairs. "Who is it?" she demands.

"It's I, James! Quick—quick! open the door!" comes a voice from the outside. But Emily Sandford scarcely recognises it. What a hollow, strange, sepulchral voice it is! She opens the door, and as the wind rushes in the candle is blown out, and there is no light save that from the dying embers of the fire which throw a ruddy glow over the room. Rush tries to strike a light, but his hand trembles so that match after match fails. At length the girl lights the lamp on the table, and, catching sight of the man's face, she utters a little scream.

"Great heavens! What is the matter?" she asks.

What a change in his appearance during those past two hours! His face is ghastly pale, and his eyes seem to have sunk back far into his head. In vain Emily entreats him to tell her what has happened; he only trembles

and looks vacantly at her. At length he pushes her aside, and goes up to his room. She hears him moving about noisily, and by the cracking of the wood she knows that he has lit his fire. In a quarter of an hour he comes

"Who is it?" she demands.

down. He has no boots upon his feet, and there is a smell of burning leather. He has destroyed one piece of evidence that would have proved him to have been abroad that night.

Then, helping himself copiously from the spirit-bottle, he at length finds speech. "Emily, my girl," he says in a hollow voice, "if anybody asks you, swear that I have not been away from you more than ten minutes. As you value your life and mine, swear this, I tell you! Go to bed. There will be strange stories about Stanfield Hall to-morrow. But, remember—ten minutes—not more!"

Tremblingly the girl does his bidding, asking him which bed she is to occupy. Her own this night, where she had not slept for many a week. But she thanks God for that, as she feels sure that something terrible has happened; she dreads the look of this man, and shuns the touch of what she now feels sure is a murderer's hand. But she is not to be let off so easily. Having gone to bed, where there is no sleep for her, she lies trembling for hours. Then she is aware that Rush is moving about in his room, and at last he comes to her. She shakes so much that he thinks she has the ague. He piles coats on the bed, and takes her by the hand. His is a cold, damp hand, and sends a shudder through her frame, whilst he is trembling more violently than she. Again and again she entreats him to tell her what has happened. But his lips refuse the truth, and so that terrible night is passed through until the grey light of the November morning steals through the casement to disclose a scared female and a miserable wretch, quivering with fear, in the room of Potash Farm, around which is drawn a cordon of police.

It is half-past eight when a loud knocking is heard at the door, and Rush, taking in the situation at a glance through the window, hurriedly puts some clothes on and goes to the door, where the officers are, and, assuming an air of indifference, bids them enter.

George Porent, the county policeman, addressing Rush, says: "You must consider yourself my prisoner, on suspicion of having murdered the two Mr. Jermys last night."

When Emily Sandford enters the parlour he is handcuffed and seated between two officers. With assumed indifference, he says: "The two Mr. Jermys murdered! I don't like these handcuffs. God knows, I'm clear of that!"

They then proceed to search him, and find half a sovereign, 13s. 6d. in silver, fourteen keys, and a pocket-book, containing a cheque, dated November 25, 1848, of a man named Cambler, in favour of the prisoner for £49 10s.

This cheque has a history to which we shall refer in due course.

The police then proceed to search the house. Amongst the suspicious articles they find two double-barrelled guns. They discover a lantern, a cloak, which originally had a hood to it, but which had been converted into a cape, a wig, with whiskers attached to it, some bullets, and other articles of less importance. Upon the floor of the corridor in Stanfield Hall the police had picked up a piece of paper, and they show it to Rush, one of the officers asking him if he had ever seen that writing before, to which Rush shakes his head, but at the same time looks very confused. The following is a copy of the note, which was afterwards produced at the trial:

> "There are seven of us here—four outside, and three inside the hall—all armed as you see us two. If any of you servants attempt to leave or follow, you'll be shot dead. Therefore, all you keep in the servants' hall, and you nor anyone else will take any harm, for we only have come to take possession of Stanfield Hall property. "THOMAS JERMY, THE YOUNGER."

And so Mr. Rush, the libertine and assassin (for my

He has no boots on his feet.

readers will—as all the world did at the time—know that he is the murderer) tried to shift the guilt in this clumsy manner upon the poor old man, Thomas Jermy, who, together with Larner, had set up, at the instigation of this creature, Rush, as claimants for the estate.

The poor fool thought, by means of forged documents (to which Emily Sandford had placed her signature as witness, not knowing that she was attaching her name to forgeries), that he would be able to oust the rightful owners. But it was first necessary, he thought, to get old Jermy and his son out of the way before he could swear to the signatures, and compel the girl to do the same. A more stupidly-conceived crime and conspiracy could never have been perpetrated. Yet, as we shall presently see, this man was by no means devoid of sense, and such cool, bare-faced impudence surely was never before or since displayed by a criminal of his class.

I shall not weary my readers with an account of the inquest, nor of Rush's examination before the magistrates. As we refer to the trial we shall get all the substance of the case. There could, of course, be no other verdict by the coroner's jury than that of "Murder," and Rush was undoubtedly the culprit. He was accordingly committed to take his trial at Norwich, before Mr. Baron Rolfe, on March 29, 1849.

"YOU MUST CONSIDER YOURSELF MY PRISONER."

The sensation created in the Eastern Counties was tremendous. On seats to the right of the bench were the Bishop of Norwich, the Earl of Leicester, Lord Cadogan, Lord Hastings, Lord Huntingfield, the Marquis of Douro, and other notables. In the galleries and other parts of the court were the Hon. Mr. Rous; Mr. Mason, High Sheriff; Mr. Bagge, M.P.; Mr. Wyndham, M.P.; Sir J. Borleau, Sir H. Durrant, Mr. Ireland, High Sheriff of Suffolk, the Hon. Mr. Pellow, Mr. Dover, Professor Sedgwick, Colonel Fitzroy, Mr. Burroughes, M.P., a large gathering of county magistrates, and a fair sprinkling of ladies.

Mr. Serjeant Byles and Mr. Prendergast prosecuted, and, to the surprise of everybody, Rush elected to defend himself. That alone showed the conceit of the man, and it would have been well for him, as the judge said during the hearing, had he sought professional assistance; for, from the very start to the finish he committed himself in the eyes of the jury, and missed the principal points which would have told in his favour. Such confidence had the man, however, in himself, that he believed that he would hoodwink a man like Baron Rolfe, and twist Mr. Serjeant Byles to his own sweet will.

The first witnesses in this extraordinary trial, which, by the bye, lasted five days, were the servants of Stanfield Hall. They all agreed, to the best of their belief, that the man who fired the fatal shots was Rush, and in every instance he failed in his cross-examination to shake the substance of their evidence. Yet these witnesses seemed afraid to swear positively that he was the man. His disguise would appear to have been so complete. Everybody in court knew perfectly well that he was the murderer, yet clear and definite proof of his identity was not forthcoming. The greatest sensation was created when Eliza Chestney was examined. She was borne into the court upon a kind of litter, for her injuries had been fearful, and it was only on account of her desire to give evidence against the man who had behaved as such a monster and coward that she was permitted to be present.

Her face was very pale, and she appeared to be suffering great pain. The witness-box and stand were removed to allow the litter to be placed near counsel. She gave her evidence in a recumbent position, and although very slow, her voice was quite distinct and clear. She told what happened on the night of November 28, and her statement evidently had great weight with the jury. Here is an extract from her evidence:

"I was in the servants' hall about eight o'clock, and heard a gun fired. I then heard another, and a groan. I then went into the passage which leads to the butler's pantry, and there I met Mrs. Jermy. She said, 'Watson, Watson' (meaning the footman) 'Eliza, go to Mr. Jermy.' I threw my arm around her waist, and with the other took her hand, and said, 'Good God! my dear mistress, what is the matter? For God's sake, go!' She did not

speak, but looked wild, and we went down the passage together. I got as far as the doorway, when I saw young Mr. Jermy dying on the floor. I then saw a man apparently coming from the dining-room door, with what appeared to be a short-gun or pistol in the right hand, and up to the right shoulder. He levelled it, and shot me. I did not fall; and then another shot followed, and I saw my mistress's arm whirling in the air. My mistress then ran upstairs. I twisted round several times, and fell down, giving three violent shrieks, and said that I was going to die, and nobody would come to help me. The butler then came to me, and said, 'Lord have mercy upon us! what is the matter?' I remember no more until I recovered my senses, at the bottom of the staircase, and found Mr. Jermy had been

"I SUPPOSE I MUST DIE!"

moved, and that I had been wounded seriously in the leg near the hip."

Eliza Chestney was then asked if she could form any idea as to who the man was who had shot her, and she said in her own mind she had not the slightest doubt.

"His head was somewhat flat on the top, with the hair set out or bushy on the sides. The shoulders were very wide, and I am confident the man who shot me stands there, and is James Rush!"—pointing at the prisoner in the dock.

The woman was subjected to a severe cross-examination by the prisoner, but she still adhered to her statement that he was the man.

A few other witnesses were called, and then came the great sensation of the trial. Emily Sandford, who at the inquest and magisterial examination had given her evidence very hesitatingly, was said to have been persuaded to join with the prosecution, and we were promised some exciting scenes in court. Nor were we disappointed. Every eye was turned upon the door through which she was expected to enter, and when she appeared a hum of excitement went through the court-house. She came in with feeble steps—almost tottering. Dressed in black, with ample folds, the costume did not conceal the outlines of her emaciated and slender form. She had given birth to a child since Rush had been in prison awaiting his trial, and the worry and her misfortune had made a complete wreck of the poor girl.

Rush fixed his eyes steadfastly upon her, and it was noticed that his hands trembled so that he was scarcely able to hold the papers before him. She raised a black crape veil, and displayed a face as pale as death. With a look at the prisoner, which expressed anguish and despair, her white, parched lips moved as if in silent prayer for the father of her infant, to whom she could give no aid.

The prisoner rose, and commenced to address the girl, but the judge stopped him, telling him that he must not then speak. Disregarding his lordship, Rush, in a loud voice, said to the judge, "I have a higher power than yours to cite to this witness. She knows that I am not guilty of the charge laid to me. I cannot help it, my lord—but I must say so. But, in every respect, I am quite willing she should speak the truth."

Mr. Baron Rolfe said sternly, "If she does not speak the truth she will be subject to the pains and penalties of perjury in this life, and to punishment in the next."

Then Emily Sandford told the truth. She disguised nothing. She told the court how Rush had ruined her, how he had made a tool of her for the signatures to the forgeries, how Rush had afterwards added to the documents, and how he conspired to ruin the Jermys. How on the night of the murder he went out and the time he returned. She

thrilled the court by her description of that fearful night they spent together when the blood of his fellow-men was upon his hands; until she seemed so horrified at the recollection that she almost fainted in the box.

The judge spoke to her kindly, and asked if she would like to retire for some refreshment, and a little rest. But she hung her head, and said "No." But immediately after this, in a very weak voice, she asked his lordship if she might retire for a few minutes to suckle her babe. She was absent for a quarter of an hour, and when she returned and Mr. Prendergast had elicited enough from her to hang a dozen Rushes, the prisoner took her in hand.

It was evident that whatever feeling this man might have ever had for the unhappy girl it had turned to the most bitter hatred now that she was gradually but surely dragging him to the gallows. His turn came to

Reading a religious book.

cross-examine her, and he did it in such a manner that the judge had to frequently interrupt him. He seemed intent upon disclosing the poor girl's faults, and his hypocrisy was startling. On the first day of her examination, which was the third day of the trial, the poor girl was in the witness-box for upwards of six hours, and it continued on the fourth far into the afternoon. Again and again were the prisoner's questions of so cruel a kind that she burst into tears.

At length the judge said, "How long is this to last? You said last night you only wanted ten minutes before you came to the documents, and it is now two hours. Those questions are quite irregular, and if you continue to press them I must restrict you. One-third of what you have said is irrelevant."

At last it was finished, and everybody was impressed with the belief that Rush had done incalculable injury to his case by his hard and cruel cross-examination. But when Mr. Penson, the Governor of the prison, went into the box and made the statement that he was present when Emily Sandford signed the depositions made before the magistrates, and stated what the prisoner had said, a groan went through the court. Rush ejaculated, "Did she sign that? If she did, I hope her hand will rot! She is with child by me, and I hope it will be born with a brand on it!"

For five long days did this trial continue, and although in a sense the prisoner's cross-examination was ingenious, it was apparent to everybody that there could be but one issue, and that the criminal was bringing that about by his want of knowledge of the law and his stupidity in missing every point which might have told for him. For instance, he went into the most minute details of matter that scarcely bore upon the case, and overlooked the fact that the prosecution had not succeeded in discovering the weapons with which the murders were committed. It was quite certain that the guns found in his house were not used, neither were pistols or other fire-arms ever produced with which the deed could have been committed.

That he had threatened the Jermys' lives before third parties was proved beyond doubt by several witnesses, and from whichever way the matter was looked at, everything pointed to his guilt.

On Tuesday, April 3, the prisoner commenced his defence, and a most extraordinary pleading it was for an amateur. During the whole of the previous night Rush had been sitting up in his cell preparing his speech, and towards morning it was observed by the warders that the strain was beginning to tell upon him.

It was noticed as we entered the court on this particular morning that carpenters had been at work covering the spikes which surrounded the dock with woodwork, and those of us who were reporting the trial were advised to be careful not to allow any penknives or sharp instruments to remain within his reach. It appears that towards breakfast time he had suddenly left his writing and indulged in the most violent denunciation against all who had given evidence against him, and it was seriously thought that he would repeat his violence in court, and perhaps attempt to do himself or those surrounding him some personal injury. This suspicion, however, was unfounded, for, except that he looked much paler and more haggard, his demeanour was much the same as usual.

He commenced by endeavouring to impugn the veracity of the witnesses, and to create an impression that the case had been got up against him—that, indeed, the evidence had been manufactured to suit it. His arguments were most extravagant and improbable. The evidence of Emily Sandford, which told so heavily against him, he accounted for on the score of her disappointment at not becoming his wife. He told a "cock-and-bull" story about seeing some men on the night of the murder who were going to take forcible possession of Stanfield Hall. But this will be unnecessary to relate in full. It was too monstrously absurd. Wednesday, the 4th of April, brought the trial to a close after it had proceeded for five days.

Mr. Baron Rolfe charged the jury, going most carefully and dispassionately through the evidence, and as he discussed the case so lucidly there could be no doubt as to what the jury's verdict would be. "If from anything," he said, "that has been said you have doubts, your verdict must be 'Not Guilty'; but at the same time it is not permitted to any body of men to conjure up doubts if in the bottom of their hearts they feel none."

There sat the prisoner when the jury retired to consider their verdict, a most diabolical expression was upon his ferocious face as he leaned forward with his hands upon the front of the dock. He knew well enough what was coming. In less than five minutes the jury returned, and to the question, "Guilty or Not Guilty?" the foreman, amidst profound silence, returned the verdict, "Guilty."

Then, struggling to his feet, Rush said, in a loud voice, "I am innocent all the same, and God Almighty knows it."

The judge put on the black cap, while Rush looked vacantly before him, apparently the most disinterested individual present.

In measured and solemn tones his lordship said, "James Bloomfield Rush, after a trial unusually protracted, you have

been found guilty of wilful murder, a crime the highest any human being can perpetrate on another, the deepest under any circumstances of extenuation; but I regret to say in your case there is everything which could add a deeper dye to guilt most horrible. It appears from letters which you yourself put in that to the father of the unfortunate victim of your malice you owe a deep debt of gratitude. You commenced a career of crime by endeavouring to cheat your landlord; you followed it up by making the unfortunate girl whom you seduced the tool whereby you should commit forgery; and having done that, you terminated your guilty career by the murder of the son and grandson of your friend and benefactor. More cannot be said. It unfortunately happens sometimes that great guilt is too nearly connected with something that is calculated to dazzle the mind; but, fortunately, in your case you have made vice as loathsome as it is terrible. There is no one who witnessed your conduct during the trial, and who heard the evidence produced, who will not feel, as the result of that evidence, that you must quit this world by an ignominious death, an object of unmitigated abhorrence to every well-regulated mind.

"I shrink not from making this statement in order to point out to you the position in which you now stand. To society it must be a matter of perfect indifference what your conduct may be during the few days of life that remain to you. No concealment of the truth in which you may continue to persevere will cast the slightest doubt upon the propriety of the verdict. No confession you can make can add a taper light to the broad glare of daylight guilt disclosed against you. So far, therefore, as society is concerned, the conduct you may pursue is a matter of indifference. But to yourself it may be all-important, and I can only conjure you, by every consideration of interest, that you employ the short space of life that yet remains to you in endeavouring by penitence and prayer to reconcile yourself to that offended God before whom you are shortly to appear. In the mysterious dispensations of the Almighty not only is much evil permitted, but much guilt is allowed to go unpunished. It is, perhaps, presumptuous, therefore, to attempt to trace the finger of God in the development of any particular crime, but one has felt at times a satisfaction in making such investigations, and I cannot but remark that, if you had performed to that unhappy girl the promise you made to her, the policy of the law, which seals the lips of a wife in any proceedings against her husband, might perhaps have allowed your guilt to go unpunished."

Here the prisoner interrupted the judge by saying: "I did not make that promise."

"You have been convicted on testimony so clear that observation and comment are unnecessary. Having conjured you to employ the small portion of life which remains to you in that which can alone interest you now, I have to remind you that human interests are for you at an end. I will only add my earnest hope that the only social right that remains to you—that of entire seclusion—may be granted, and that no morbid sensibility of guilt, nor any idle curiosity of the vulgar, may be suffered to pry into the secrets of the murderer's cell, or to raise a misplaced interest in that in which you are alone concerned. It remains for me to pronounce upon you the awful sentence of the law."

Mr. Baron Rolfe then in a solemn tone pronounced the usual words, and everybody present felt that his beautiful, simple words had gone home to the hearts of everybody present save that of the prisoner. He made an effort to have the last words with the judge, but was checked by the governor of the prison. Then Rush calmly took up his bundle of papers and carefully placed them in his portfolio and slipped unseen a small piece of paper into the lining of his hat. He was then hurried from the dock by the turnkeys, and as he passed some gentlemen he was observed to smile at them, preserving his firmness to the last.

The slip of paper was the cheque which had been found upon him and handed up during the trial in a pocket-book which contained some documents which he desired to refer to, and he had cleverly abstracted it and handed the book back to the solicitor. This was a small action, but it showed the man's cunning throughout the whole business. Of course, it was discovered and taken from him, but he was satisfied when he was informed that after certain expenses had been paid the balance, if any, should be handed to his children.

With the coolness which characterised this extraordinary man throughout most part of this terrible affair, he threw himself into a chair when he regained his cell, in which a bright fire was burning, and called for his tea and his slippers. Then, turning to one of the warders, he said, "This is a troublesome world, and I suppose I must die; but should the man who really committed the murders come forward do you think I shall be released? Well, upon such evidence, had I been the jury, I should have returned the same verdict."

Later in the day, he said, "But, really, am I to be buried within the prison? Will they not let my friends have my body to be buried in the churchyard?" He enjoyed his tea, and shortly afterwards retired to bed, where he apparently slept soundly until the morning.

Ten days after his condemnation Rush received permission for his family to visit him, and we afterwards learned from Mr. Pinson, the governor, that the meeting was a most affecting one. They arrived at Norwich Castle on the morning of the 16th of April, nine children accompanied by Mr. James Rush, of Wymondham, brother of the convict, and Mr. Lomes, brother of the murderer's late wife. When they were announced Rush for the moment lost control over himself. He buried his face in his hands and wept.

"Let them be admitted," he at length said; and the next minute the whole of the nine children were in the presence of their unhappy parent.

They spoke little about family matters; but, according to those who were present, the scene was most heart-rending—both the father and the children giving way to the wildest paroxysms of grief. As they were leaving him Rush called upon God to witness his innocence of the foul crime imputed to him.

After this meeting little or no news was received from the convict. This was on the Monday, and the execution was fixed to take place on the Saturday, April 21. Norwich is always filled with country folk on the last day of the week, it being market day, but on this particular morning thousands of people poured in from all parts. Every tavern in the place was besieged, and a crowd, estimated at a hundred thousand, flocked around the Castle to see the end of the miserable man. The place was like a fair. Ballad-mongers were selling doggerel rhymes, descriptive of the murder, and food of every description was being purveyed. It was a busy scene. There could not possibly be found a more convenient place for an execution, the old Norman structure standing on the top of the hill, with the gallows erected upon the Saxon bridge spanning the old moat, which is now transformed into a flower-garden and shrubbery, afforded every opportunity for the immense concourse of people to witness the terrible sight of a human being sent to another world.

Everybody was on the tip-toe of expectation, and the questions asked were: "Would he confess at the last moment?" "Is it possible for the man to brave it out to the last?" "Will the wretch die game, or break down at the last moment?" Reports had found their way from the condemned man's cell that he had differed in his conduct but little. He went to bed on the previous evening between nine and ten o'clock, and got up at two o'clock in the morning. When he arose he said, "Thank God for a good sleep!" But this must have been all bravado, for it was evident to those who were watching him that he had not slept at all. From two o'clock to six he occupied his time in reading a religious book, in which he made marginal notes with a pencil.

Later, in response to his request, the Rev. Mr. Blake came to him. He had previously quarrelled with this gentleman, and at the last moment was desirous of making his peace to receive his ministrations.

He washed himself with hot water, put on a clean neck-cloth and shirt, and sent for the governor, and begged him to see that he was buried in his shirt. At eleven o'clock it turned out a beautiful morning, and the crowd became enormous, thousands of females being present. At 11.30 the bell of St. Peter's, Mancroft, tolled the death-knell, and the criminal walked firmly from his cell to the pinioning room, where Calcraft did his work, Rush imploring him not to brace his bonds up too tight. A procession was then formed to the scaffold, the distance being quite sixty yards. The chaplain read, "I am the resurrection, etc," as they passed mournfully along, Rush now presenting a most melancholy and dejected appearance. His neck-handkerchief had been removed, and his shirt was unfastened and turned down. Still he struggled against collapse, and for twenty yards walked with a firm step. Then he trembled violently, and raised his pinioned hands to his face, then, letting them drop before him, he turned his eyes to the blue vault of heaven, and his countenance wore an expression of penitence and prayer. On reaching the foot of the gallows, the Rev. Chaplain offered up the following prayer, which he gave in a most impressive manner:

Oh, almighty God, who, according to the magnitude of Thy mercies, dost so truly put away the sins of those who truly repent that Thou rememberest them no more, open Thine eyes upon this Thy servant, who most earnestly desireth pardon and forgiveness; remember him, most loving Father. Whatsoever hath been decayed in him by the fraud and malice of the devil, or by his own carnal wilfulness, forgive. Consider his contrition, accept his tears, assuage his pain, as shall seem to Thee most expedient for him. . . . And now that he is to be taken hence, take him into Thy favour, through the merits of Thy most dearly beloved Son, Jesus Christ our Lord. Amen.

While this prayer was being said Rush's lips moved, and it was evident that it had touched him to the quick. Still, on the surface, he tried to preserve his coolness to the end. When urged by the Chaplain in the early part of the morning to confess his crime, he said, "God knew his heart, that He was his Judge, and that they had prejudged him."

When he first saw Calcraft he turned to the governor and said, "Is this the man who is to do the business?" The reply was "Yes." Then the miserable man shrugged his shoulders, whilst being pinioned, and said, "This don't go easy." Again, with a marvellous effort, he pulled himself together as they ascended the scaffold, and when the hangman was adjusting the rope, Rush feeling as he thought the fellow's hand tremble, said, "Now, don't be in a hurry; take your time." Then moving his head about, he added, "Put the knot a little higher up; don't hurry, whatever you do."

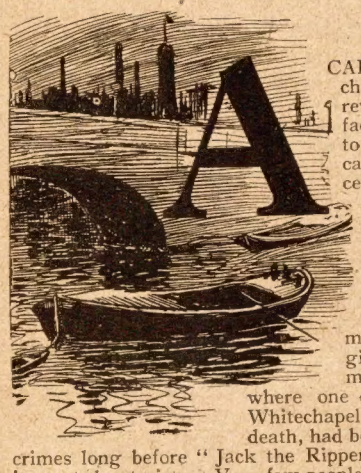
Then he asked that the governor should come to him, when he desired that Calcraft should be ordered to pull the bolt when the chaplain should arrive at the words "The grace of our Lord Jesus Christ." This was arranged, and at the given "cue" the platform went down and the unhappy man fell like a lump of lead, for he was of a very heavy weight and shook the whole of the framework of the gallows. It seemed longer, but it could hardly have been a minute, the suspended body remained perfectly motionless. Then there was a slight movement of the rope, and he could be seen to give a short spasmodic struggle. He never moved again.

A tremendous shout rent the air as the fatal drop fell, followed by an outburst of applause from the population, who thus desired to express their delight at the end of this libertine, forger, and assassin, whose career had brought about the misery and pain of so many of his fellow-creatures and who had dragged out his miserable life of lust and depravity until he met his true deserts upon the scaffold.

The Waterloo Road Murder of 1863.

How Samuel Wright Murdered his Mistress in a Lodging-house in the Waterloo Road, and how great efforts were made to spare the life of the assassin.

"Cut off even in the blossoms of my sin,
Unhouseled, disappointed, unaneled;
No reckoning made, but sent to my account
With all my imperfections on my head!"
—SHAKESPEARE, "Hamlet," Act I., Sc. 5.



A CAREFUL study of the chronicles of crime will reveal the interesting fact that murder seems to attach itself—if one can use the phrase—to certain districts and particular neighbourhoods. Why it is so it is hard to say, but none the less it is true that great crimes seem to cling to one particular spot, and many examples can be given of this phenomenon. Mitre Square, where one of the victims of the Whitechapel fiend was done to death, had been the scene of violent crimes long before "Jack the Ripper" brought it into rejuvenated notoriety. Very few people are aware that in the "fifties" a triple murder and suicide was committed in Wyndham Road, Camberwell, at a little grocer's shop almost next door to the sinister-looking dwelling where Edgar Edwards murdered the unhappy Darby family. No one remembered this earlier tragedy at the time when the Wyndham Road horror was on everybody's tongue, but the crime nevertheless occurred, and once created much excitement. Burton Crescent, Great Coram Street, and Euston Square all may be classed together, and each is identified with an appalling crime, the perpetrator of which has never been found, and the particulars never fully brought to light.

Waterloo Bridge and its immediate neighbourhood—particularly Waterloo Road on the Surrey side—has been the scene of many a tragedy besides the one I am about to describe. In the year 1828—I am speaking from memory, not having the means of reference as to the exact date at hand—a very sordid crime, closely resembling the Great Coram Street mystery in its details, was perpetrated at a house in Wellington Terrace, Waterloo Road. The lower portions of these houses are now open as shops, but at that time they were not over-particular—the landlords—as to the class of person they let to, and Wellington Terrace in particular had a very unsavoury reputation.

In 1853 occurred the famous Waterloo Bridge mystery, when a bag was found on one of the buttresses of the bridge containing human remains, and only a few years ago a woman killed a man and packed his remains in a trunk in one of the houses on the right hand side of Waterloo Road, coming from the Strand. Almost next door to that particular dwelling occurred the murder of 1863, of which I am now about to write. Many other cases could be quoted of murder repeating itself in certain neighbourhoods, but enough has been said to show that this strange phenomenon actually exists.

A murder was committed on the 13th of December, 1863, in a house in the Waterloo Road, which, on account of the circumstances connected with it, the proceedings at the trial of the accused, and the excitement attending the execution of the sentence, rather than from any peculiarity in the perpetration of the crime, attracted much public attention, and was the subject of a good deal of comment at the trial.

There lived on the second floor of this lodging-house a man

named Samuel Wright, who was by trade a bricklayer. He was not a Londoner by birth, or even by inclination, but work had not been regular or easy to procure in the country, and he had ventured up, like so many others, to the Great City, in the hope of bettering his position. He was a good labourer, and a fairly steady man, and he succeeded in his quest in London in so far as he was able to obtain permanent employment at his trade, and he earned regular and fairly good wages for those times.

Since September of the year 1863, Wright had been cohabiting with a woman named Maria Green, who was a servant out of employment, and whom he had encountered and befriended when she was in great straits and had no home to go to. He had proposed to this woman that she should come and share his lodging as his wife, and she agreed, the landlord not caring to inquire whether they actually had been married. Indeed, they lived together so quietly, and their habits were so regular, that it was not difficult to believe that they were really joined together in holy matrimony.

Maria Green, however, was slightly older than the man, and occasionally she gave way to fits of jealousy. Wright had been seen talking to and drinking with the ladies who ply their questionable trade in the vicinity of York Road and Stamford Street—ladies whose successors are yet to be encountered in that not too delectable neighbourhood. The neighbours, especially the women, were not slow to advise Maria Green of her "husband's" peccadilloes, and there is reason to believe that one woman in particular aroused the jealous ire of the soi-disant Mrs. Wright. Her "man," as she called him, had been seen entering and leaving the York Hotel with this light o' love, and though there is no proof that Wright was actually unfaithful, he was given full credit for being so by his jealous partner, and slight quarrels were the order of the day—and night—for some two weeks before the commission of the crime.

The deed itself presented in its immediate circumstances only the ordinary features of such cases. On Friday, December 11th, it would appear that words passed between the two, but the following day a dressmaker, who rented the first floor of the house, and who was acquainted with Wright and his companion, saw them "very happy and comfortable together" in their own room about eight o'clock in the evening. Shortly afterwards the pair went out, and were seen standing for a time at the corner of the York Road. There they were joined by a woman, the suspected—nay, the guilty one of Maria Green's jealous mind, and whom Wright proceeded to chaff in rather a familiar way.

The woman responded in a similar strain, and asked Wright to treat her, adding, "Surely you don't mind what she thinks?" when the man indicated the presence of his mistress. This led to an angry retort from the latter, and soon the two women were indulging in a heated argument, in which it does not appear that Wright himself took any particular part. He let the two dames talk themselves hoarse and thirsty, and when Maria Green repaired to the public bar of the York Hotel, he followed her, the other woman leaving them at this juncture, and partook of some gin.

Maria Green upbraided him a little while they drank their liquor, but Wright was not heard to threaten her in any way, and though both were a little excited as the result of the recent wordy warfare, neither was in the least bit intoxicated. After this nothing more was known of their proceedings up to the time of the catastrophe. It seems probable that, as usual with people of this class, they visited one or more public-houses, and Wright may have finally reached his lodging a little the worse for his potations. At what hour they returned to the Waterloo Road ménage, or in what humour or condition, was not known. They had a latch-key, and entered so quietly that no one heard them. What actually occurred, therefore, can never be distinctly known, but about four o'clock on the next (Sunday) morning, the whole house was disturbed by a great noise and loud screams apparently coming from the floor they inhabited.

The lodger on the floor beneath was aroused by the continuous knocking and screaming overhead. She was so strongly excited by the unusual disturbance that she leapt out of bed and rushed to the door of her room without waiting to put on anything over her robe de nuit. As she opened her door, she encountered Samuel Wright in the act of descending the stairs, and his appearance betrayed that something dreadful had taken place above. He was only partly dressed in his shirt and trousers, and the sleeves of the former were tucked up, displaying his bare, muscular arms. Both were covered with blood, which was dripping from him as he walked down the stairs. He was white and panting, his eyes fixed and bloodshot, and his whole appearance so shocking that the woman nearly fainted. She contrived, however, to ask what was the matter, and Wright said something incoherent in reply.

He passed her on the stairs, and then she fancied that he turned round again and faced her. "If you want to know what's amiss," he said, slowly and deliberately, "go upstairs and see." He then walked calmly down the stairs and went into the basement of the house, there removing from his arms the damning evidence of his butcher's work. The lodger, fearful of what she might see, did not wait to don any other clothing, but proceeded upstairs to the Wrights' room, which she was able to enter, the door being on the jar.

A truly shocking spectacle met her horrified gaze. The woman Green was lying on the floor, her groans pitiful to hear, and her throat cut in a most frightful manner. Although the head was almost divided from the body, and great volumes of blood continually spurted from the gash, she was able to articulate that Wright had committed the deed with his razor. The house was now aroused, medical aid and the police sent for, and already a nucleus of a fair crowd had

"Go upstairs and see!"

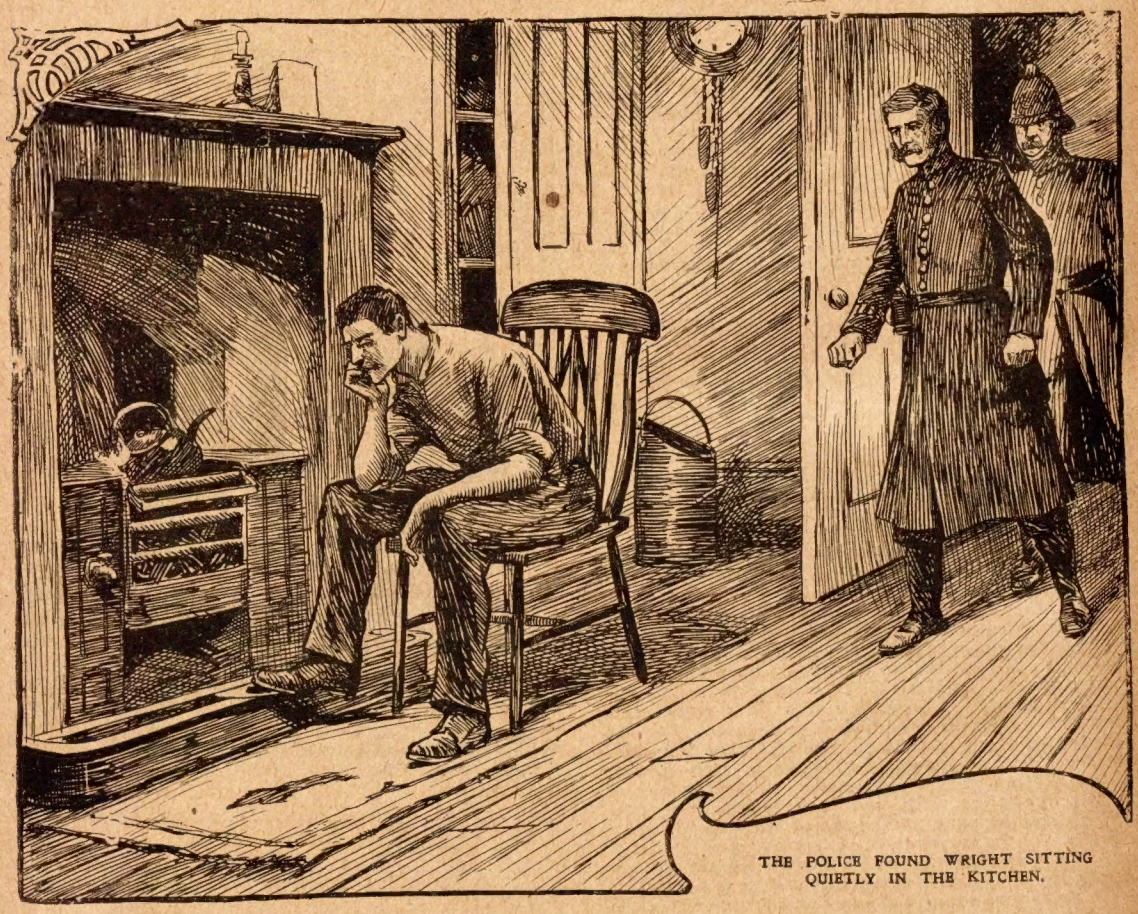
formed in the darkness of the December morning in the slush and mud of the street outside.

The doctor was quite unable to do anything for the sufferer, who was indeed beyond all human aid. She never spoke after being removed and placed upon the bed, and twenty minutes after the discovery she breathed her last. In the meanwhile, the police had proceeded to the basement beneath the level of the street, and there they found Wright, who had made no attempt to escape from the house. He was sitting quietly in the kitchen, and at once announced himself as the murderer when accosted by the police.

He was handcuffed and taken into custody, while the constables made a search of the premises on which the murder had been committed. There were no signs of a struggle in the room beyond the disordered bedclothes. The victim was half undressed when found, and it seemed probable that the murderer had attacked the woman in bed. Although the man had immediately confesed his crime, he obstinately refused to discuss it further, or to give any particulars as to its perpetration. He declared that "it was no good to talk about it; talking wouldn't bring her to life," and that "it was done, and he was prepared to hang for it." There is little doubt, however, that the jealous woman had commenced another quarrelsome argument while they were in bed, that

the prisoner had suddenly lost all control over his temper, and had struck the deceased, that she had jumped out of bed, and that he had then knocked her down with his fist, and, seizing a razor while she was down and endeavouring to arise, had cut her throat in the savage way described.

Upon the commission of this crime the retribution of justice followed with a celerity rarely paralleled in the annals of justice. So speedy was the course of the law that the murderer had actually been condemned to the gallows before the remains of his victim were committed to the grave. The crime, as has been stated, was committed on Sunday morning, the 13th; on the 14th the prisoner was brought up to the Southwark Police Court, where the evidence, of which the above is a brief summary, having been stated, and the prisoner declining to make any defence, he was at once committed for trial. The Central Criminal Court was at that time in session, a true bill was found by the grand jury on the 15th,



THE POLICE FOUND WRIGHT SITTING QUIETLY IN THE KITCHEN.

and on the 16th the prisoner was arraigned before Mr. Justice Blackburn for the act committed only three days before.

The case, in these extraordinary circumstances of speed, excited a good deal of interest, and for some reason not very apparent, a certain sympathy for the prisoner on the part of the public at once began to manifest itself. Wright himself appeared neither to wish nor to invite sympathy. He maintained a calm and stolid demeanour in the dock, looking about him and surveying the witnesses and spectators as though he could not understand this interest in proceedings which seemed so dull and tiresome to him.

He was a man of good proportions, with a not unattractive countenance, and it was difficult to reconcile his appearance with the horrid nature of the crime. Being called upon to plead, the accused, who was not represented by counsel, merely said, "I am guilty." The clerk of arraigns, upon this, took some pains to explain the nature of the charge against him, which was that he had killed the deceased purposely, and of "malice aforethought." The prisoner was understood to say—he spoke very inaudibly—that "he knew nothing about that. All he knew was that he was guilty." From this position there appeared to be no moving him.

Mr. Justice Blackburn then leant forward, addressing him, said, "Prisoner at the bar, I understand that you have pleaded guilty to an indictment charging you with wilful murder, and I wish to know if you thoroughly understand what you have done in so pleading. You have by that plea admitted that you wilfully committed murder on the person of the deceased, without any excuse. Are you aware of the consequences? I don't wish to dissuade you from so pleading if you really know what you are doing, but before it be too late, I wish to know if you thoroughly understand the meaning of your plea?"

The prisoner, passing his hand wearily across his brow, said in a louder and firmer voice than that in which he had previously pleaded, "Yes, my lord, I do."

Mr. Justice Blackburn, still unable to account for this man's determination to make no effort to save his neck, then remarked, "I repeat, I don't wish to dissuade you from the plea of guilty, or from confessing your guilt." Yet another effort was made to induce Wright to withdraw, or at least to mitigate the plea. Mr. Sleigh, interposing at this juncture, said that he was the counsel for the prosecution, and he begged to state, before the prisoner finally answered, that he had only just been committed for trial, and probably had not had time to obtain legal advice or assistance. He had read the depositions and it occurred to him that if the prisoner were well advised he might be disposed to retract that plea.

Wright said nothing in response to this, and Mr. Justice Blackburn replying, said, "It seems to me that if he really understands the meaning and consequences of that plea, and of that he himself is the only judge, it only remains that he should receive judgment. I do not think there is anything in the depositions to cause me to reverse the plea."

His lordship then turned to the prisoner, who was standing with bowed head, and remarked, "Do you thoroughly understand the nature of your plea and its consequences?"

And the prisoner replied simply, "Yes, my lord." The clerk of arraigns, whom the learned judge called upon to address the prisoner, said, "You stand convicted on your own confession of murder; what have you to say why the court should not give you judgment to die?"

The prisoner made no reply to this, and after a slight pause Mr. Justice Blackburn assumed the black cap, and in a solemn voice addressed the murderer. He said that he (prisoner) had been convicted on his own confession of the crime of wilful murder, and he was bound to say, after reading the depositions, he thought there could be no doubt, if the prisoner was in a state of mind at the time to know what he was doing, that he really did commit the crime of wilful murder, and he thought there could be no doubt that he was responsible for his acts at the time. He had pleaded guilty, and confessed the crime, and he had done right in that respect if he really knew the effect of his plea. It therefore only now remained to the prisoner to endeavour, in the short interval which would be allowed to him, to make his peace elsewhere, for in this world he could not hold out to him the slightest hope of mercy, the prerogative of mercy being entrusted to other hands than his.

The sentence of death was then passed by the learned judge in the usual form, and he directed it to be carried into effect by the High Sheriff of Surrey. Wright was quite unmoved while the sentence was pronounced, and it was not until touched on the arm by one of the warders that he seemed aware that the trial was at an end, and that he was condemned to die. Nor during the short period that elapsed before the execution did he appear to quite realise his position; again and again he admitted the justice of the sentence, and his determination to meet his fate with fortitude, but from the course which he had mapped out for himself from the moment of the commission of the crime he could not be moved an inch.

His friends visited him while in gaol, and he appeared to have no near relatives. A sister of the murdered woman obtained permission to speak to the condemned man, and to her, whom he received in a becoming manner, Wright expressed his sorrow for the crime, but he found no excuse for its commission, and suggested nothing that could extenuate his guilt. He appeared to look forward to the day of expiation with longing rather than with dread, and paid great attention to the ceaseless ministrations of the earnest chaplain, who was constantly in attendance in his cell.

In the meanwhile, efforts were being made outside to obtain some remission of the sentence, and great attention was focussed upon this very ordinary criminal. In spite of the fact that the prisoner made no such attempt to explain away his guilt, it was suggested that the crime might have been done in the heat and passion of the moment, that the victim probably began the quarrel, and that the deed showed little signs of premeditation. It was represented that had the case been presented in a proper light the crime would have appeared to have been manslaughter rather than murder, and several persons wrote to the public journals to air this view. It must be observed, too, that a plea of guilty to a capital charge is rare in our courts, and the rapidity with which in this instance a conviction followed the perpetration of the crime through an unusual occurrence of circumstances, is probably without a parallel before or since. Indeed, the suddenness of the proceedings and the absence of any defence or efforts to save himself on the part of the accused, produced a somewhat painful and unsatisfactory impression upon the public mind.

Some thought that the trial ought to have been postponed to give time to the prisoner to recollect himself and take advantage of any grounds which might be suggested in his favour. Others considered that his sanity was by no means certain, his conduct since the crime being somewhat remarkable, since he made no attempt to shield or save himself. Another circumstance which contributed strongly to influence the public mind in favour of the prisoner was the commutation about the same time of another and much more notorious criminal. I refer to the man George Victor Townley, who murdered Miss Goodwin in Derbyshire because she had refused his addresses. Comparisons unfavourable to the authorities were drawn up between the case of this offender, powerfully befriended and backed, and the unaided and lonely Wright, who had been so summarily consigned to his fate.

Much discontent was excited between the apparent difference of justice in the two cases, especially amongst the working classes, and strong efforts were made by appeals to the Secretary of State for the Home Department to extend to Wright some mitigation of the sentence of the law. Townley was spared, but Sir George Grey, after communicating with the judge who presided at the trial of Wright, announced that he could see no valid reason for interfering with the execution of the law.

It may be mentioned here, as an item of interest, that Townley was awarded imprisonment for life, but the following year—1864—he committed suicide in gaol by flinging himself from the gallery to the stone floor beneath.

Samuel Wright was accordingly hanged on January 7th, 1863. When informed that Sir George Grey was unable to rescind the death sentence, the condemned man expressed neither grief nor surprise, and said that he was ready to meet his just fate. He seemed not only resigned to the inevitable, but to be actually anxious to have done with the world and its cares, and to welcome his approaching doom. He was described as a model convict, giving no trouble or care to his warders, and he repeatedly expressed his sorrow for his great crime, though he would give no details as to how it occurred. He spent his time in preparing for his end, and paid little heed to the efforts of those in the outside world who were dissatisfied at the course of justice.

Early on the morning of the 7th he was awakened from a refreshing sleep to be informed that his end was near at hand. He had been perfectly calm overnight, had retired to bed at his usual hour, and had slept peacefully and well. Of one of the warders he asked the time, and on being told that it was six o'clock, he remarked, "Two hours hence, and—eternity!"

Breakfast was served to him, but though still calm and unperturbed, he professed to be quite unable to eat anything. He swallowed some mouthfuls of hot tea, however, and then had an interview with the chaplain, who promised not to leave him again till all was over. He showed great sincerity over his devotions, repeatedly imploring pardon for his sin, and asking for mercy at the judgment seat.

On the executioner and his assistant being introduced into his cell, he stood up and put himself at once at their disposal. He was led to the scaffold in a procession headed by the deputy governor of the gaol, and never ceased to pray during the slight time that now elapsed before his dissolution, joining fervently in the prayers solemnly uttered by the minister of God. He walked quite firmly to the scaffold, and up the few steps leading to the gallows, and took his place quietly and calmly beneath the fatal beam.

The rope was adjusted, the cap placed on the convict's head, and the hangman awaited the signal to pull the lever. "May the Lord receive my soul," said the wretched man, and as the chaplain, with great emotion, ejaculated "Amen!" the bolt was withdrawn, the drop gave way, and Wright disappeared beneath. The rope hung straight and stiffly; the murderer had died without a struggle.

Even with Wright's execution the matter did not immediately leave the public mind. It left a degree of settled dissatisfaction in the minds of the community, which had, however, one result. On subsequent occasions, if the sessions followed immediately upon the committal of a prisoner there to take his trial, that trial was postponed till the sessions ensuing after the one just about to sit, and thus time was given to an accused man to consider his plea and to prepare his defence. There seemed something a little indecent in the haste with which Samuel Wright was arraigned and convicted, and it is good to know that since that year no similar case has arisen. Without doubt, the crime was a brutal one, whether premeditated or not, but at the same time the proceedings were certainly hurried, and it is not surprising that the public was a little shocked at this "lightning justice," as someone termed it.

There is a curious sequel to this case which has some bearing on the remarks with which we commenced this account of its particulars. A few years later a second tragedy was enacted in the very house in which Maria Green was murdered, this being a very determined case of suicide. A man lived alone in one room—that just above the room formerly occupied by Wright and his paramour. He was found dead in bed one morning, having poisoned himself with a strong dose of prussic acid. "There are more things in heaven and earth than are dreamt of in our philosophy."

He Had the Jury.

Lord Eldon, when Mr. Scott, and travelling the Northern Circuit, was once leaving Newcastle after a very successful Assize in which he had secured the acquittal of every prisoner except one he had defended, and met a farmer, who rode up to him and said, "Well, Lawyer Scott, I was glad you carried the day so often, and if I had had my way you wouldn't have been beaten that once. I was foreman of the jury, and you were sure of my vote, for you are my countryman, and we are proud of you."

THE MURDER OF

Mary Hamilton,

A STRANGE STORY OF LOVE AND CRIME.

"Again I view thee; oh, my heart's delight;
Consoler of the sad and lonely night;
Bright shadow of a dream! when shall I see
In woman's form what I have found in thee."

—From "Ariel," a poem written by Joseph Thompson fifteen years previous to the crime.

AT the time of which we write, the greater part of that vast continent, America, was still unconquered by civilisation. Nature, in all her rude and splendid barbarity, still held unlimited and undisputed sway over large tracts of untilled and unfurrowed land, where now abound cities and towns, populous and prosperous. The forest primæval still stood inviolate in its density, untouched by the woodman's axe and the labourer's plough; the lair of savage beasts, and the home of the yet unhunted red man.

Such an environment is most fitting for the tragic history of love and crime which we are about to relate. All the characters that play their parts in this unhappy drama are silhouetted with remarkable distinctness upon the primitive backgrounds of forest, prairie, and nature, uncultivated and untamed. Our mother earth has provided us with a suitable stage, and the most befitting scenery and the actors; the dead puppets of a fretful hour, whom we shall attempt to revivify, are waiting in the wings.

Let us ring up the curtain.

In the beautiful, but still barbarous State of Maryland, over eighty years ago, there lived in a large and solitary house a family of the name of Hamilton. The family cannot in any way be described as popular in the district; the father of Mr. Hamilton had fought in the recent War of Independence, but, alas! for his reputation, he had worn a red coat. That is to say, he had served under the banner of King George, and had striven in the companies of the Old Country to stem the tide of revolution. At Bunker's Hill, however, he had been numbered with the dead, and had left the present Mr. Hamilton, then a mere youth, with a large estate in Maryland and a bankrupt fortune.

Young Hamilton, at the conclusion of the war, in which, be it said, he took no part, sold the larger portion of his estate, reduced his number of slaves and dependents, and lived quietly with his mother in the old, lonely house we have before mentioned, and which, prior to the impoverishment of his family's fortune, had been let to a farmer tenant. In due course his mother died, and Hamilton took to himself a wife, a young and beautiful woman, like himself the descendant of an ancient stock, who had first touched American soil as a consequence of their embroilment in long-forgotten Jacobite politics.

When we first meet the Hamiltons, they have been married for some years, and have an only child, a daughter, just budding into girlhood. We make their acquaintance through a Mr. Joseph Thompson, a personage upon whom, considering the fact that he is destined to play the most important part in our tragedy, we must bestow a little attention.

Mr. Thompson was a tall, slenderly-built man, with a pronounced stoop of the shoulders, a pale, thin face, aquiline features, long, dark curling hair, tinged with grey over his high forehead, and large, brilliant black eyes. He dressed soberly, even sombrely, and had all the manner and air of a student and philosopher. He came to the Hamiltons with a letter of introduction from a gentleman in New York, which characterised him as a gentleman and a scholar, possessed of sufficient income to be a man of leisure, and of quiet, unobtrusive habits. It was suggested that the Hamiltons, whose fortune had in no way bettered, but, indeed, had declined from bad to worse, should board Mr. Thompson, who was wishful of spending his days in a suitable retreat, removed from the traffic and turmoil of populous cities.

The Hamiltons, who saw the necessity of increasing their slender fortune, and who had written to the gentleman in New York apprising him of their condition and their scheme for facing poverty, received Mr. Thompson with great hospitality and kindness. His luggage was brought down by coach two days before his arrival, was opened, and found to consist mainly of books, ragged veterans of thought and speculation, which held no place in the young lady's circulating library.

"It is evident, mamma," said Mary, the daughter of the family, "that we are going to be burdened with a bookworm. It is very disappointing."

"Nonsense, my child," replied the mother placidly; "he will be quiet and serious in his habits. So much the better."

"He will be a horror, with green spectacles and a bald head. I hate him already."

Shortly afterwards Mary went out to see a girl friend. When she returned, one of the servants hastened out and told her that the stranger had arrived. Half frantic with anxiety, flushed with her walk, she bounded into the parlour, to find her father conversing with a tall, dark young man, who was extremely handsome and graceful in appearance.

"Oh, I am surprised!" cried she, standing in the doorway, with smiling eyes and parted lips.

Her father turned round at this interruption, and the stranger likewise.

"This is my daughter, Mr. Thompson," said Mr. Hamilton gravely.

The young man fixed his brilliant, earnest eyes upon the child and bowed. She was quite sobered in a moment; all the mirth went out of her face, all the vivacity had gone from her voice, as she said demurely, with downcast eyes, that she hoped he was very well. As she afterwards said to her mother, the stranger had given her a shock, his cold, calm, penetrating gaze had frozen all the warmth in her blood; she stood quite chill and shivered.

"Are you cold, Mary?" asked her father.

"No, not cold; not at all, papa."

"Youth is always warm, palpitating with hope and the joy of life," said Mr. Thompson, speaking for the first time since her entry, and half to her father.

Mr. Hamilton smiled. Certainly the new arrival had a remarkably odd manner of speaking!

Little Mary sat down on the extreme end of a chair, and remained looking at her pretty fingers, too awed to join in the conversation which her entrance had interrupted. Presently she forgot all about her fingers, her embarrassment and the shudder she had so suddenly experienced. She was listening to Mr. Thompson, and he was speaking of wild, wonderful things that she had read about in books, in a low, sweet, melodious voice which she found very charming.

The conversation had turned upon the French Revolution, and Mr. Hamilton was expatiating upon the horrors and the errors of that fearful human conflagration.

"I was in Paris at the time," said Thompson.

"You! Good gracious, I should have thought you to be too young!"

"Appearances are frequently deceptive."

"Pardon me. Did you not fly?"

"No; I went to Paris purposely to witness the struggle. I was merely a spectator."

Then he went on to relate much of what he had seen; the execution of nobles and of a queen; the supremacy of lawlessness, and the fall of Robespierre.

"Dreadful! dreadful!" cried Mr. Hamilton.

"It was vastly amusing."

Hamilton was shocked. Certainly this was a very strange man; a man who looked so young, and yet had witnessed the most fearful revolution of modern times, at a time when one would have thought him to be in the cradle, a man who found it "vastly amusing."

Mary was so astounded that she actually had the courage to look up; she found herself the object of the stranger's earnest gaze, and blushingly withdrew her eyes.

After dinner that evening Mr. Thompson took a book and

went out for a walk. He had no fear of being lost, he said, as his sense of locality led him unerringly in the direction he wished to go.

When he had gone he provided the Hamilton family with a fine subject for gossip and conjecture, and they all agreed that they liked him; that he was agreeable, but very eccentric and peculiar. It was evident that he was much older than he looked, a man of great experience and travel, and not without a certain indefinable air of mystery which aroused the ladies' curiosity, but rendered Mr. Hamilton not as comfortable in his thoughts regarding the stranger as he would like to have been.

We will follow Thompson in his walk. What subject was engaging his thoughts, that he sauntered with puckered brow and pensive gaze? Was he immersed in abstruse calculations? Were his thoughts wandering into the illimitable region of speculation? No; his mind was completely absorbed in a subject to common thinking the most unlikely of all others—the fairy-like child, Mary. "The embodiment of the ideal," he said aloud, as he stopped in his walk, amidst a shady grove of tall thick-leaved trees; "the long-sought Ariel, the spirit of fire and dew, the sprite of a thousand dreams! What strange destiny has brought me hither, what fate, benignant or malevolent, has directed my steps to this abode, to this human realisation of all my visions? Ah, God! what will come of all this, what horror, what perfect bliss, what direful pain, what transcendent fortune?"

So overcome was this remarkable man by his emotions that he actually hid his face in his hands and seemed to weep. After a time he grew calmer, and, raising his eyes, saw Mary approaching, like a dancing sunbeam, down the leafy glade of trees and ferns.

In truth, she seemed more a spirit than a child of earth, as she came tripping through the cool, green, forest path, with her hair streaming about her like a shower of sunshine. Thompson was absorbed in her beauty, and noted its every feature; her pale, dew-like skin, the deep violet colouring of her eyes, the small, flower-like, tip-tilted nose, and the rose perfection of her exquisite mouth. He trembled as she approached him and Mary on her side stood in startled surprise at this chance encounter. "My little friend," said Thompson, "answer me a question."

Mary stood all attention; she was fond of riddles, and fancied her new companion was about to propound one to her.

"Why did you say you were surprised on seeing me just now?"

"Good gracious, did you hear me?"

"Yes."

"I was very rude, I know."

"No; but, tell me, why was it?"

"Well, I had been looking at your books before you arrived."

"Yes."

"And they looked so dry and uninteresting that——"

"Well?"

"I thought you must be dry and uninteresting too."

"Oh, and you think I am not?"

"Yes, I think you are the most interesting man I ever met."

Thompson smiled, a smile that was kindly, and yet not devoid of bitterness.

"Tell me," he said again, speaking with great earnestness, "do you think you have ever seen me before?"

"Before you came here?"

"Yes."

"Of course not."

"Never? Think, I pray you."

"Never."

"You never dreamt of anybody like me?"

"Dreamt! I don't remember my dreams."

"Ah! you should do."

"Why?"

"You will find of all things they are the most worthy of remembrance."

"Do you really think so? I will try, then, in the future; but I am sure I have never dreamt of you. I should not have forgotten that."

They were walking together; much of the awe which Thompson had at first inspired in Mary's breast had melted away, and she looked up into his face with trusting innocence. He told her tales, fairy stories of sprites and wood nymphs, and often made her laugh. This pleased him, for he thought her laugh sounded like the ripple of fresh water, and he liked to make her smile, too, for this reminded him of little sunbeams straying into a wood.

That night, when alone with her mother, Mary confessed that she considered their new friend the most interesting and engaging person by far that she had ever met in her life. This, of course (for no pleading is so eloquent to a mother's ear as that of a child), predisposed Mrs. Hamilton in the stranger's favour, and as the father of the family, despite a certain indefinable distrust which Thompson inspired in his secret heart, had no material arguments with which to dispute the inclinations of his women-folk, it may be said that on the very night of his arrival the new guest had won the hearts of the household, and was firmly installed in their affections.

Thompson himself slept but ill; he was haunted by the vision of Mary, whose face floated through his dreams, disturbing his slumbers with its elusive beauty and charm. Once he fancied she was bending over him; he could feel the fragrant warmth of her young breath blowing on his cheek; he could see love smiling in her eyes, and then she stooped

"I love you more than all the world."

and stooped until her hair fell about his face, and she pressed her bud-like mouth to his lips in a kiss of unutterable tenderness. He woke with a violent start, beads of perspiration running from his forehead. His mouth was parched, his limbs trembled; the dream had been so actual.

Strange, impossible though it may seem to incredulous commonsense, Thompson had had many such dreams prior to his first meeting Mary. Her face was the face of his visions; a face whose beauty, whose fairy-like charm, had haunted his slumbers from boyhood. The visionary youth had fallen in love with the shadow of his imagination; he had spent many hours consumed by the thought of the love he was never to behold but in dreaming. He called the phantasy Ariel—i.e., a creature of air, and not of human birth—and wrote poems to her without number.

And now the vision had been made woman, the dream had become actual, the desire of his life stood before him, embodied in flesh and blood; the unattainable had become the attainable; he could possess Mary, and, possessing her, could possess his pre-eminent ideal of perfect loveliness. All this to an ordinary mundane intelligence must appear merely ecstatic vapourings, but Thompson was a man not cast in a common mould, and, although to this day much of his past is shrouded in mystery, it is safe to assert—we might even go farther than mere assertion—that Ariel was as actual to

him, and the shadow's embodiment in Mary as actual as the veriest commonplaces of existence are to us to-day.

Hence the extraordinary emotion excited in his being by the sight of Hamilton's daughter, in whom he saw, not as others saw, a pretty girl, but the realisation of his life-sought ideal.

He cultivated the beautiful child's society; he accompanied her on long walks, talked with her on every imaginable topic, and, indeed, was never happy unless he was in her company. One night, when she was going on a two-days' visit to some friends who lived at a distance of twenty miles, she came up to him, and, with a playful air, which was too artless to be termed coquettish, asked him if he did not want a good-bye kiss. He stood before her deathly pale, but his eyes burnt like glowing coals. She stood up on tip-toe and put her lips to his, and suddenly a whirlwind

Meanwhile Thompson had gone straight to Mr. Hamilton, and apprised him of the state of his affections. He had the tact and good sense to admit the great disparity between his own age and that of Mary, but at the same time took the opportunity to inform Hamilton that his circumstances were good, much better, indeed, than would generally be suspected from his appearance and pretensions, which fact could, he added, be satisfactorily ascertained by applying to a certain New York bank, the name and address of which he furnished Mr. Hamilton with on the spot, with full permission to write and test the truth of his statements, and concluded his remarks by reminding that gentleman of the fact that some of the happiest marriages recorded had been those contracted between persons widely separated by years, when the man was the elder of the two, and promised that, should Mary's parents so far favour his suit as to consent

"DIE, THEN! DIE! YOU AND YOUR BASE-BORN CHILD!"

of passion overcame him; he caught her slender body up into his arms and devoured her with the kisses of a savage.

A scared, frightened look came into her tranquil blue eyes, but she did not struggle, only lay trembling in his arms, her lips and cheeks tingling with the fire of his scorching lips. He felt her little heart palpitating in her tender bosom, and, afraid lest he should do her harm with the violence of his passion, put her down again.

"Why did you kiss me like that?" she asked, between her gasps for breath.

"Because I love you!"

"I don't understand you."

"You don't, but you will. I love you more than all the world!"

Mary, who was not yet fifteen, cried all the way to her friend's house, trying to understand the new, strange sensation she had experienced in her lover's arms—for lover he certainly was—and wondering what it all meant, because she always regarded Thompson as contemporaneous with her parents, and had thought of love as a thing greatly written about in story-books, but of which she had no personal knowledge.

to his proposal, she should, besides having a loving husband, incessant care, regard and kindness, be perpetually under the watchful eyes of her father and mother.

Mr. Hamilton heard Thompson out, and then replied that he must consult his wife before pledging himself in the matter, but that, under any circumstances, he personally should regard his friend's conduct as strictly honourable.

The mother, who knew that Mary was fond of Thompson, and who was delighted at the thought of her daughter marrying into an affluent position, and such positions were scarce in Maryland, consented willingly; so that Mary's parents gave their sanction to Thompson's suit.

When the child returned from her visit she found herself practically affianced to Thompson, for no one suspected for a moment that she harboured any prior attachment or would meet her lover's advances with anything but reciprocation. In truth, she met them with obedient docility. She was very fond of Thompson, had regarded him as her dearest friend, but could not quite understand all this "pother," as the old dramatists would say, about marriage.

He led her one evening into that shady grove of trees in the forest where we met them before, and there, seated on

the trunk of a recently-felled tree, asked her point-blank if she would be his wife.

She put her hand trustfully into his and asked him in return why he wanted marriage.

"Because I love you."

"But I love you."

"Oh, my darling!"

"You know I love you, but we are very happy. Why get married?"

"My child, you do not understand. You must be mine."

"But I am yours as much as I can ever be."

"Ah, no! You must be really mine for ever and ever. I cannot live without you!"

"You have me."

"No, no, Mary—or Ariel, as I prefer to call you—not as you will be mine when you are my wife."

"Do you really want it?"

"Before all the world, yes."

"Your happiness depends upon my saying, 'yes'?"

"It does."

"Well, then—yes."

He took her into his arms and kissed her, kissed her with all the burning passion that had consumed his being since the shadow of his present love had first come to him in dreams, and she kissed him in return, the soft, cool kiss of a child kissing a beloved friend.

He took from his pocket a curiously-shaped ring, with two huge diamonds, set in the shape of two hearts entwined, surrounded with pearls.

Mary was delighted with the brilliant gems, and slipped it on to her finger.

"That ring was made for you eighteen years ago."

"For me! But think, I was not born!"

"No; but I had seen you, and I swore that if ever my dream was realised, if ever I met you, this ring should be yours. See, I have kept my word."

The matter was thus formally settled, and Mary was to become Joseph Thompson's wife on her sixteenth birthday. Thompson seemed entirely absorbed in happiness; the Hamiltons vowed that he looked younger every day, and that he acquired a gallantry of manner and a sprightliness of carriage which had before been absent from his studious and morose bearing.

But perfect bliss's visits to this earth are like those of the angels, as Campbell tells us, "few and far between"; and, sure enough, before long a mote marred the purity of Thompson's sunbeam of happiness.

He received a mysterious communication from some unknown source, and it was evident to all those who knew him that he became perturbed and unsettled in spirit.

And then, after a lapse of some weeks, a second missive arrived, upon receipt of which Thompson announced that he was obliged to take a journey on important business. The Hamiltons expressed their unfeigned sorrow, and likewise Mary. However, the lover said he did not think he would be away at the outside for more than two months, and, after a long and affectionate leave-taking with his "Ariel," as he delighted to style Mary, took his departure.

However, after two months had elapsed, during which time the Hamiltons received several communications from their absent friend, Thompson still did not return. Instead, a letter reached Maryland, informing the family that his business had assumed a greater importance than he had at first suspected, and that he might, therefore, be detained for a further month or two.

The precise nature of this business we have never satisfactorily determined, though it is evident from contemporaneous records that it had a political significance, and was in some way connected with France. Meanwhile the Hamiltons had received another letter from their friend in New York, who had recommended Thompson to them, stating that he had been approached by a young man of the name of Weymouth, who was desirous of spending a holiday in Maryland for the purpose of recuperating his health. Would the Hamiltons take him?

Mr. Hamilton, whose slender purse already missed the contributions of Thompson, replied in the affirmative, and in due course Mr. Weymouth arrived.

He was found to be in every way the direct antithesis of Thompson; he was fair, with a light step, and a fresh, buoyant manner, and although a little pale from recent ill-health, it was evident that generally he was a stout, robust young fellow, with plenty of gaiety and high spirits. He had not been long in Maryland before he was on all sides voted an excellent companion, and a good comrade. He was, however, by no means in affluent circumstances.

Mr. Hamilton was aware of this, and was also aware that young Weymouth was attracted to the society of Mary. He was careful to inform the young man that his daughter was already affianced to a Mr. Thompson, who might be expected to return any day.

When Thompson had been absent a trifle over six months, Mr. Hamilton one morning received the following letter:—

"My dear Hamilton,—At last the period of my exorcism from happiness has concluded. I shall be with you almost immediately.—Yours affectionately,

"Joseph Thompson."

A week after this characteristic effusion had arrived, a coach drew up before Mr. Hamilton's door. Mary stood at the window with young Weymouth. She had been weeping all that morning, for the poor child was in love!

She saw the well-known figure, tall, stooping, and angular, alight from the coach, and she thought Mr. Thompson looked much older than before.

It seemed that his hair was greyer than ever, and that the deep, morose lines around his mouth had deepened with absence.

Mr. and Mrs. Hamilton rushed out and met the home-comer with a truly warm welcome, but Mary lingered behind. After the first words of salutation had passed between Thompson and her parents, the traveller took her in his arms and kissed her. Suddenly he started.

"What was that? What has broken?"

It was only young Mr. Weymouth who had been toying with a china vase and had accidentally crushed it into atoms.

"Whom have we here?" asked Thompson rudely, suspiciously eyeing the stranger. He was at once introduced to Mr. Weymouth; they saluted each other but coldly, however, and did not engage in any conversation.

Mary slipped out of the room, and Weymouth contrived to follow her. He found her outside the house in the garden crying bitterly. He fell on his knees before her and seized her hands.

"My darling Mary, I love you!" he said passionately. "Disguise is useless. I love you!"

She took the handkerchief from her eyes and regarded him with a look—a frightened look, like a child that is lost and far away from home.

"Oh, don't, I pray you; don't speak to me like that."

"I must, love, I must. You are not happy."

"No—oh, so unhappy!"

"You do not love that old fellow to whom you are engaged?"

"No, no!"

"Then, why marry him?"

"I shall die."

He caught her up in his arms and kissed her, vowing that she should never be bartered for Thompson's purse. Gradually her frail little arms crept around his neck, the fair head rested on his breast, and the low sobs slowly died away.

"I love you," she whispered.

"Pray, am I an intruder?" said a well-known voice, in accents that froze the warmth from Mary's blood. She started away from Weymouth with a frightened scream, and sat huddled up in a corner of the summer-house, the picture of childhood in despair.

Thompson stood before her with a face pale as parchment, a smile on his bloodless lips, and the look of a demon in his sunken eyes. With a cry of execration Weymouth sprang to his feet and made as if to strike the intruder. Thompson did not draw back, did not flinch; but the young man's arm fell impotent to his side, and the bravery fled from his face as he stood cowering before the wrath of that awful face.

"Mr. Weymouth," said Thompson, in clear, cold accents, "kindly leave me alone with this young lady. We both have explanations to tender to the other. That accomplished, I will trouble neither of you more."

Weymouth bowed and withdrew. At that moment he acknowledged silently to himself that Thompson's carriage and demeanour were noble and worthy of admiration.

The student sat down beside Mary and asked her to hush her tears.

"I must talk with you," he said, "this once."

"Oh, I have been wicked!" sobbed the girl.

"You do not love me?" he asked.

"No—not as I love Weymouth."

"I see, I see. I might have known it. You think me ugly?"

"Oh, no!"

"My character is offensive to you?"

"Not in the slightest. I like you, ever so much, but I love Weymouth."

"You could never love anyone but Mr. Weymouth?"

"Never! never!"

"I see; I begin to understand."

"Oh, you must think me wicked!"

"No, child, not wicked; anything but that. It is I who have been foolish."

"You are so good—too good for a wicked girl like me."

"I absolve you from your promise. May you be happy, child, with your choice." He took her hand, lightly kissed it, and was gone

He went straight to Mr. Hamilton, told him the aspect affairs had assumed, and begged him to think no more about the matter.

"Of course, under the circumstances, I can no longer live here. I shall remove at once to the inn."

And this he did, in the face of the family's protestations and remonstrances.

When he was alone his sorrow overcame him; he abandoned himself to the grief he could no longer conceal, and wept like a child. He felt that the dream of his life was shattered, his one hope blighted, and happiness no longer a possibility. The position of this strange creature was not that of an ordinary man under similar circumstances. The face of Mary, the face of his ideal, had visited his dreams throughout his life. He had ever been the slave of the shadow, and now, when he had at last found the dream embodied in corporeal form—flesh and blood—it was snatched from his hands by a fate that he regarded as both malevolent and capricious.

He did not remain at the inn long, but, to the surprise of the Hamiltons, who had expected that he would leave Maryland entirely, he took a solitary little house in the depths of a neighbouring forest. This habitation had long fallen into disuse, chiefly for the reason that it was so remote from town or village, and lay an easy prey to Indian raids, which at the period of this history were sadly frequent. Thompson lived here without a servant or a companion of any description—alone with his books, his thoughts and his pre-eminent sorrow. Try how he would, he could not banish Mary from his mind; he thought of her by day; he dreamt of her by night; the vision of her beauty plagued his peace, and drove him to the brink of madness. Indeed, so abject was his slavery to the beauty of his ideal that he found it impossible to exist without seeing her; and, although every time he feasted his longing gaze upon the lovely girl he suffered indescribable torture, yet he could not tear himself away from the cause of his pain and affliction.

He was then a frequent visitor at the Hamiltons', where his conduct was so smoothly correct, so devoid of pique and irritation, whilst his speech was circumscribed within such decorous and general bounds, that he was always welcome to both Mary and her parents, although Weymouth for reasons of his own, as will presently be made manifest, viewed his presence with apprehension and disfavour.

One day Thompson suggested to Mary that she should return to him his ring, and she replied, with some confusion, that she had given it to Mr. Weymouth. Thompson forthwith asked Weymouth to return the jewel, and received an evasive and equally confused answer. The student, who was a man of vast and varied experience, had little doubt in his own mind that Weymouth had sold it, for he regarded that personage as little more than an adventurer.

One evening Thompson was walking slowly through a path in the forest, when he discerned Mary and her lover standing at some distance away, apparently engaged in an animated and not altogether friendly conversation.

An overmastering desire to know the purport of this strange interview came over Thompson; he felt that, come what may, he would be acquainted with the subject of their discourse. In an instant he had dropped silently to the ground, and equally silently was creeping on his belly through the tall grasses, weeds, and spreading ferns towards the lovers in the manner of an Indian scalper, with whose methods there is evidence that he was well acquainted.

Before his death he repeated in detail the conversation he overheard.

"It must be to-night," said Weymouth impetuously.

"Ah, love, we run great risks."

"You will not decline?"

"You ask much of me."

"But you will consent?"

"And your promise, Weymouth?"

"My promise I will keep."

"You swear it?"

"Oh, my love, can you doubt me?"

"Nay, I will not doubt you; I dare not. I should kill myself if you proved false."

"You speak wildly, Mary. But about to-night?"

"I do not know; I cannot think."

"At twelve they will all be asleep. You can then slip quietly from your room. I dare not come to yours. Your parents would hear. My door will be open, but I will be on the stairs to carry my love down. There is no cause for fear."

"What was that?" suddenly cried Mary, looking round. "I thought something stirred.

"Nothing; a lizard, perhaps."

It was not a lizard, but the man in the grass writhing in the excess of passion.

"You will keep your word, love?" said Weymouth.

"Yes, I will keep my word; and you?"

"I will keep mine. We will be married as soon as the papers arrive from New York."

The lovers went their way, halting now and again for a fond caress, or a stolen kiss. When they were out of sight and hearing, Thompson staggered to his feet.

"My God!" he cried, beating his clenched fist against his burning brow, "has it come to this? The dream of my life an adulteress! The vision of my youth the prey of a vulgar villain's depraved fancy! It shall not be! I swear before God it shall not be! I will prevent it; I will save my dream, my love, my Ariel from this foul abasement. I will rescue her from this awful doom. Perhaps I shall kill her—perhaps I shall kill myself. No matter, the gods have enwoven my destiny, have driven the iron into my aching soul. Theirs is the responsibility!"

The shadows of twilight had hardly faded into night when Thompson crept from his house and slowly made his way by the most unfrequented pathways in the direction of the Hamiltons' residence.

It was an uncommonly fine night, the moon shone cold and clear high in the heavens, and a few stars were shining. Silently and secretly he crept round to the back garden, and with an easy agility swung himself over the wall. There were no lights at the back of the house, for the family were in the parlour, which was at the front, and Thompson had nothing worse to face than an old, half-blind dog, who knew him well. He threw a biscuit to the animal, who whined and wagged his tail in token of pleasure at the renewal of a well-remembered friendship, and with a light and noiseless spring caught hold of the ledge which jutted out from Weymouth's window. Half of the casement was open, and in a moment Thompson was in the room, secreted behind an old oak cabinet which stood between the door and the bed.

He waited thus in hiding for two hours; heard the family disperse to their several apartments with laughter and good wishes; heard Mary and her lover's good night kiss outside the latter's door, and an unintelligible whisper, and then he saw Weymouth enter the room, candle in hand, and prepare to disrobe for the night. The young man seemed to be in the highest spirits, whistled a tune, gave his hair an extra brush, and stood for quite half an hour eyeing his person in a long mirror suspended on one of the walls before he finally blew out the light and retired to bed.

Then in the darkness Thompson crept from his hiding-place, slid noiselessly across the floor until his hand touched the bed coverlet, and then with the spring of a panther he was upon his enemy and held him writhing but inarticulate in a grasp of iron. Half suffocated, terrified and amazed, Weymouth struggled to free his mouth from the controlling hand, but his efforts were fruitless; the attempt of a child to escape from the embrace of a giant.

In the moonlight which streamed through the window he saw the glint of a pistol in his assailant's left hand, and the sweat of awful terror stood in burning beads upon his brow.

"If you move or speak," hoarsely whispered Thompson, "I swear by all that's holy I empty this weapon into your miserable carcase!"

Weymouth shivered, feeling exceedingly cold. Thompson still pressed his hand over the terrified man's face, and stuffed the handkerchief which he held deeper and deeper into his mouth. The drug acted quickly. When Weymouth was half unconscious, Thompson bound him quickly, but firmly, to the bed, and fastened a gag over his mouth, in case he should recover consciousness before the tragedy was completed. He then lit the candle, and, leaving the door half opened, slipped from the room, and took his place at the bottom of the stairs, awaiting Mary. He was enveloped in darkness, so that anyone coming down the stairs could barely have discerned his figure at all, much less recognised his features.

He waited fully half an hour, and then his quick ear heard something stirring on the top landing.

It was the patter of little, bare feet! Shrinking deeper into the shadow of the wall, he looked up and saw Mary, clad in a loose, white night-gown, with her beautiful golden hair streaming in abundance about her shoulders. She held a candle in her hand and trembled visibly.

Never had she seemed so beautiful as at this moment, never so fairy-like, so dream-like, robed in her white muslin gown, half opened at the neck, which showed the dazzling fairness of her slim, pale throat. Never had she seemed so beautiful.

"Weymouth!" she cried, in a little, frightened whisper.

Thompson beckoned to her, and the child came slowly down the staircase. In a moment she was in his arms, in a moment his hand covered the rose perfection of her mouth, in a moment she knew the truth.

She did not scream nor cry nor faint, but turned as livid as death. She did not speak, but stared with large, terror-stricken eyes at the wild, half-frantic face of Thompson.

"What does this mean?" he hissed between his bloodless lips.

She did not answer.

"I know all! I know your plan, your vile, abominable plan! I have you in my power now, I who have saved you from yourself!"

She did not speak.

"I know whom you came to meet to-night, and for what purpose. You would have disgraced yourself, you would have given yourself to that callous scoundrel!"

For the first time she spoke, and then in a whisper like a child waking from an ugly dream.

"Oh, where is Weymouth? Take me to him!"

Thompson became almost delirious with rage.

"Where is Weymouth? He will not meet you; he will not see you; he is far from you! He is yours no more!"

An awful look stole into the girl's eyes, her bosom panted and heaved with sudden emotion, her lips quivered; she became transformed in frenzy and wrath.

"Wretch!" she screamed, "you have murdered—oh, God, you have killed him, my love, my heart's darling! God curse you for it!"

"I have saved you."

"Saved me! Vile fool, idiot that you are! Saved me! You have killed the *father of my child!*"

She beat her breast in delirious sorrow, moaning like a being distraught with sorrow. Steps and shouts were heard in the distance.

Thompson had reeled like a man under a terrible blow.

With a fearful cry he snatched the pistol from his pocket, and levelling it at the girl, cried:

"Die, then!—die, you and your base-born child!"

He fired, a lurid flash of flame illumined the darkness, and a dull report sounded through the house.

The hissing lead crashed with a sickening sound into the girl's brain. She fell bleeding, dishevelled, and dead, at her murderer's feet. He plucked another pistol from his pocket, and turning it against himself, fired. Instinctively he turned his head away, and the bullet tore through his cheeks, mangling his face horribly, but leaving him bleeding and deformed—for the hangman's rope. He fell senseless by the side of Mary.

Cries, screams, and shouts mingled, lights flashed here and there, servants rushed to the spot, and Mr. and Mrs. Hamilton, half dreaming and terrified, dashed from their room, to find their daughter murdered, and her assassin insensible by her side. He was at once removed to the watch-house.

We will not attempt to describe the suffering and grief of the Hamilton family; such things we leave to our readers' imagination.

In due course Thompson was tried for his life, and, in spite of a plea of insanity, was found guilty and condemned to death. The dead girl was buried amidst general mourning, and Weymouth disappeared from Maryland for good. On the scaffold the murderer made an extraordinary figure. His hair was quite white, he had lost most of his teeth, and his whole face was mangled in a terrible manner by the misdirected pistol shot. Before the rope was adjusted, he said:

"I die happily. I go to meet Ariel. She who in life was denied me will surely be mine in death."

FINES originated from the mercenary disposition of the courts, all punishments anciently, before the use of money, being corporal.

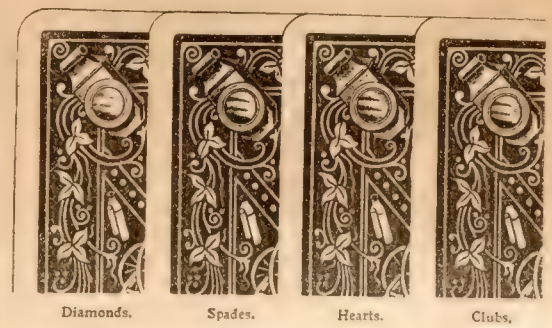
XXX.—MARKED CARDS.

ONE of the most expert card-sharpers in England, a man who has gained a luxurious living for many years past, explained to the writer a few days ago that the sole secret of his success was the fact that he used marked cards. This man ran a gambling hell in the West End of London for years, until quite recently, when his balance at the bank told him that it was no longer necessary to risk exposure and imprisonment by continuing the game. Every pack of cards ever used in the den was marked, so to speak, "in plain figures." The sharp kept his secret to himself. His assistants used the mechanical devices for cheating, many of which we have already described, and played with the marked cards, but they did not know that the "broads" had been tampered with. That information the principal sharp took care not to divulge. He imported all his cards from America. All the backs were of the same pattern, and it was as easy for him to tell the value of the cards by looking at their backs as by an inspection of their faces. Thus he was able to win as he pleased. He always knew what cards his opponents held, could "lead" into his partner's hand when occasion required, and could keep the right card to the finish when someone had "gone nap," and was winding up with a weak card.

We have recorded these facts in order to show the value to a sharper of "marked cards," but the story is hardly necessary. Anyone who knows anything of card games will readily appreciate the secure position of the player who can tell exactly what his opponents are holding. It reminds us of the old joke anent a game in which two men were engaged. "Why play games of chance?" inquired an onlooker. To which the sharp replied, "This is not a game of chance. My opponent has no earthly; he is bound to lose."

Probably more ingenuity has been wasted on the marking of cards than on any other implement in the cheat's tool-chest. Indeed, several complete numbers of FAMOUS CRIMES could be filled with descriptions of the styles in which dishonest gamblers have "readied" their cards for the benefit of their dupes. In America there are many firms whose principal business is the sale of marked cards—and a very profitable business it is, too. The packs are sold at prices varying from 1 dollar 25 cents to 2 dollars, *i.e.*, 5s. 3d. to 8s. 4d., and for these prices you can get the finest specimens of the marker's art.

The method adopted by these firms is to imitate the backs of the cards produced by famous firms, who are above suspicion and only produce fair cards. Thus, supposing the honourable manufacturers are producing cards of a hundred designs that are popular, the "fake" manufacturers at once imitate the "backs," and by making slight variations in the patterns mark the cards so that anyone in the know may run and read.



These marks defy detection. Packs of marked cards

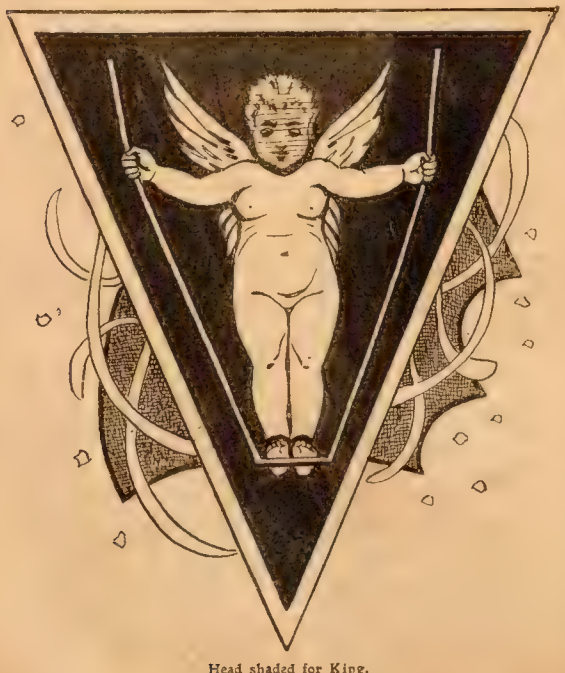
have before now been handed to experts for examination, and these people have returned them after many hours of scrutiny with the emphatic remark that the cards have not

Enlarged Drawing of the Angel, showing shading on arm to denote Ace.

been tampered with. Then, to their surprise and disgust, the marks have been shown to them.

Of the many methods of marking cards we have in this article only space to refer to those known as "cut line," shading and tint marking, and dot and puncture.

Take the first—"cut line." We give a picture showing the marking on four cards taken from a pack specially im-



Head shaded for King.

ported from the United States for the purposes of this article.

The pattern on the backs of these cards consists of two of the old high bicycles, a lot of foliage and cycle lamps. The pattern is known as the "Big Wheel," and is one of the designs issued from a famous and highly respectable New York house.

The design is most popular in the States, and for that reason it is one that is most favoured by the firms who publish marked cards. The pack under notice is marked both for suit and value.

Look at the picture herewith. You will notice that the lines of shading on the glass of the lamps vary on each card. To a sharper the marking is plain, but to the uninitiated the cards, even with this explanation, require for the moment very careful examination. This shading denotes the denomination of the card. Now just underneath the lamp is a leaf, with three petals, almost like an ivy leaf in shape. Each leaf has three lines, or veins, radiating from the centre, but if you will look very closely you will see that the veins on each card differ slightly. In the first the lines do not reach the tips of either petal, and that fact denotes that the card is a diamond. The second card has a line which cuts through the bottom petal, which indicates that it is a spade. In the third card the line cuts through the top petal and tells the sharper that the card is a heart, whilst in the fourth the line cuts through the tip of the centre petal and shows that

Right Wing shaded for Queen.

the card is a club. And now you have read the explanation it is easy to see "how sharpers sharp."

But we have another pack, or, rather, part of a pack, to show you, the marking on which is even more ingenious. This pack, known as "Angel-backs," cost us 1 dollar 25 cents (plus postage), and illustrates what is known as "shade work." In the centre of the design will be seen two angels, or cherubs, on swings. It is these little figures which give the cards their names and which enables sharpers to tell from a glance at the back the exact value of the card. The shading of the foliage at the side of the angel tells him the suit. The facsimile of the back of one of these cards, which we give herewith, shows the angel free from any shading. In a pack of marked cards this fact would denote that the card was the "deuce," for that is, as a rule, the only card which is not identified. To show an ace, the head of the angel is shaded as in our illustration, the right wing is shaded for a king, the left for a queen, the right arm for the knave, the upper part of the body for the ten, left arm nine, right trouser (or whatever the garment is called) for the eight, left ditto seven, right leg above knee six, left ditto five, right leg below knee four, left ditto three. In these cards the suits are denoted by slight variations in the foliage at the side of the angels.

In the gambling world these Angel-back cards have an interesting history. Many years ago sharpers were in the

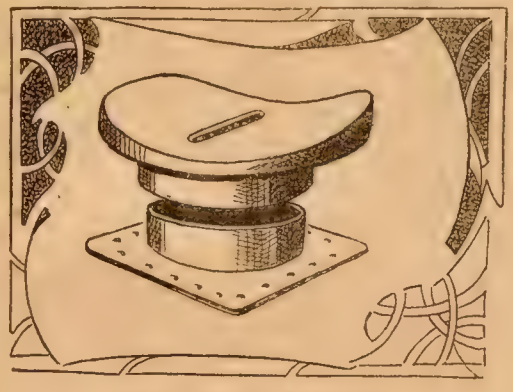
habit of marking their own cards, and for that purpose adopting the style known as shading and tint marking. "The earliest method of shading," says "Sharps and

Left Wing shaded for Knave.

Flats," "consisted of the application to plain-backed cards of an even tint, which, being rendered more or less deep, denoted the values of certain cards. The tint was produced by rubbing the card with a rag slightly impregnated with

Facsimile of "Hart's Angel."

plumbago until the required depth of tint was obtained. This imperfect method, however, has gradually developed into others which can hardly be said to leave anything to be desired—at least from the sharp's point of view. At the present time shading is principally confined, if not entirely so, to ornamental backs. It is effected by applying a faint wash of colour to a fairly large portion of the card. This colour, of course, must be one which approximates to the tint of the card, and, further, it must be one which will dry without removing the glaze. There has been, as a consequence, a long struggle between the playing-card manufacturer and the professional gambler. Whilst the latter has been engaged in the endeavour to concoct a stain with which he could shade his cards without spoiling the enamel or altering the colour, the former has done his best to circumvent the sharp's endeavours by compounding the glaze of ingredients which will spoil 'the little game.' For some time the manufacturer triumphed, and it became known that Hart's red 'Angel-backs' were unstainable. Alas! however, vice—and, shall we say, science—was victorious, and anyone can now buy a fluid warranted to stain any card for a mere trifle. These fluids are nothing more than solutions in spirit of various aniline dyes. For red, aurosine is used, and for blue aniline blue. Stafford's red when diluted with spirit produces a perfect stain for red cards. A suitable solution having been attained, the cards are shaded, either by putting a wash over a certain spot or by washing over the whole of the back with the exception of one spot. The latter method is the better of the two in many respects, as the cards can be distinguished at a distance of two or three yards, and yet will bear the strictest investigation, even at the hands of one who understands the former method." In the instructions for the use of these fluids the manufacturers advise intending users to dilute the dye with alcohol in a small bottle, putting the alcohol in



Pocket Colour-Box for Marking Cards.

first, so that the brush can be dipped into the alcohol, and the desired shade can be obtained with greater certainty. They state that the tints dry lighter than they appear when moist, and give minute particulars as to how brushes and dyes are to be treated. No water must be allowed on the brush, for water blisters the backs of "calendered" cards. Here are the instructions for marking:

"In marking you can pick out any number of figures from four to six, having them as near the upper left-hand corner as convenient—a flower which has five leaves is best—or the right number of figures in a circle.

"Shade all the figures except No. 1, leaving it light or natural for the ace, No. 2 light for king, No. 3 light for queen, No. 4 for Jack, No. 5 for 10, 1 and 2 light for 9, 2 and 3 for 8, 3 and 4 for 7, 4 and 5 for 6, 5 and 1 for 5, 2 and 5 for 4, 2 and 4 for 3, and 3 and 5 for 2.

"For suit pick out two figures near those you use for size and have both dark for clubs, both light or natural for diamonds, have one dark for hearts, and the other dark for spades."

Another firm advertises its marking ink as follows:

"For line or scroll-work. Anyone can apply it with a fine steel pen or camel-hair brush. This ink dries quickly, and does not require any rubbing. Will guarantee it to be the best ink made. Price three dollars per bottle. Two bottles, red and blue, five dollars. Best shading colours, two dollars per bottle."

The marking of plain or unprinted backs was achieved in an ingenious fashion. The backs of the cards were, so to speak, divided up into a large number of squares, and dots placed in certain spots indicate suit and value. To mark these cards all that was necessary to do was to place

a tiny drop of water on the card in the desired position and blot it quickly. The water destroyed the glaze. Sometimes, instead of this system, the end of a penholder was pressed into the card, making a slight indentation. These marks were easily discernible to anyone looking for them.

Unglazed cards are marked by drawing lines on the backs with paraffin wax. The ace is left blank, a line left top corner to right bottom corner denotes the king, a perpendicular line the queen, a line left bottom corner to right top corner the knave, horizontal line in the middle ten, cross nine, and so on all through the pack.

Sometimes it is necessary to mark cards during the progress of a game. To do this the sharper either carries a couple of "shading boxes" or else resorts to the puncture.

The former method is very similar to the tint-marking already described. The shading box is a specially made contrivance which can be sewn to the inside of the waistcoat or the underside of the lapel of a pocket. They are nickel-plated, and are filled with a colouring paste, red in one, blue in another. In the centre of the lid, which is convex, is a slot. When the gambler wishes to mark a card he passes his finger over the slot, takes a little of the colour and places it on the back of the card in the set position to denote the value of the particular card doctored.

The "Poker Ring."

The punctures are contrived by means of a "poker ring," to the shank of which is affixed a tiny pin (exaggerated in our artist's illustration), one sixty-fourth of an inch in length. The punctures are administered to the cards on the same system as the dots, but this method has the disadvantage that the sharper can only read the cards when he himself is dealing, and can, as he hands them out, feel the holes which he has drilled by pressing the cards with his thumb against the ring. There are many other systems, but sufficient for the day, etc.

In these articles we have exposed so many of the tricks of the gambling sharps that it is unnecessary to point the moral. The only safe game seems to be Patience, and, as you play that solus, it is impossible for you to be cheated.

He Was Sorry He Spoke.

SERJEANT DAVY was once opposing a prisoner's bail, and endeavoured, amongst other methods, to extract from a proposed bailor that he was not a sufficiently responsible party. The serjeant was a noted bully, and seized on this as a good opportunity for the display of his powers in that direction.

"Sir," he said sternly to the proposed bail, "how do you make out that you are worth £3,000?"

The gentleman entered into details of his real estate, and proved particulars of ownership to the value of £2,940.

"That's all very good," said Davy, "but you want £60 more to be worth £3,000."

"For that amount," answered the bullied one, "I have a note-of-hand of one Mr. Serjeant Davy, and I hope he will have the honesty soon to settle it."

The serjeant looked confused, and Lord Mansfield said, in his most urbane tone, "Well, Brother Davy, I think we may accept the bail."

He Resembled the Lawyer.

MR. DUNNING was once cross-examining an old woman, and endeavouring to shake her evidence as to the identification of a party. He questioned her as follows: "Pray, my good woman, are you very well acquainted with the defendant?"

"Oh, yes, your worship; very well indeed."

"Come, now, what sized man is he, short or tall?"

"Quite short and stumpy, sir; almost as small as your honour."

"Humph! What sort of a nose has he?"

"What I should call a snubby nose, sir; much such a one for all the world as your own, sir, only not quite so cocked up, like."

"Hem! His eyes; what were they like?"

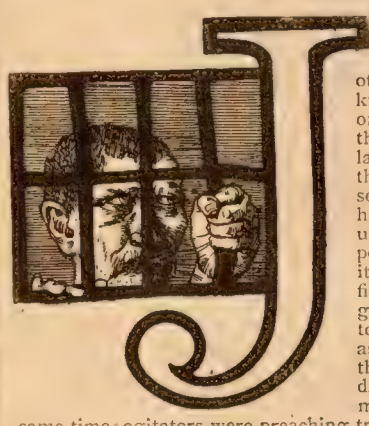
"Why, he has a kind of a cast in them, sir, a sort of squint. They are very like your honour's eyes."

"You may go down, woman!"

A Strange Struggle on the Scaffold. . .

THE EXECUTION OF HENRY AND PHILIP CODY, AT CLONMEL, FOR THE MURDER OF EDWARD MADDEN.

"Fierce was the struggle, like a beast at bay
He fought for life."
—JOHN MITCHELL, "The Moonlighter."



JOHN MITCHELL, Smith O'Brien, Meagher, and others, were the acknowledged leaders of the people, when, in the years 1847-48, Ireland was in one of those fierce throes of semi-rebellion which have so often been her unhappy fate. The potato famine was at its height, and the fine peasantry were goaded by starvation to deeds of cruelty and assassination which they would never have dreamt of in their normal state. At the same time, agitators were preaching treason wholesale. The above-named were brave men and true, undoubtedly, but mistaken, if we are to judge them from an English point of view, and they led their followers down a ruinous pathway.

Agrarian crime was more rife than it had been in the Emerald Isle for half a century, and a Special Commission was appointed to try offenders. There was not a sitting of this Commission that had not a dozen or more murders brought before it, and so strong was the feeling in the proclaimed districts that scarcely a jury could be found to convict. It was exceedingly difficult, too, for the authorities to procure the attendance of witnesses. The lower orders were afflicted with blindness, and could see nothing.

In the case, however, which we have under review at the present moment, the deposition of the victim himself was considered almost sufficient to convict the prisoners. The other evidence was barely corroborative.

Briefly, the story of the murder runs as follows:

In the month of April, previous to the crime, the deceased man was severely beaten by a party of men. He charged several with being concerned in the outrage, and, amongst others, the prisoner Philip Cody. Warrants were issued for their arrest, and some of the party were taken and punished. Cody, however, contrived to keep out of the way. That prosecution was the only cause which could be assigned for the murder; but there can be little doubt that Madden was a most unpopular man.

At Killerney, in Tipperary, was a large wood belonging to the Marquis of Ormonde, and in the month of July, 1847, a number of persons were employed by the marquis's agent in felling and barking the timber. Amongst the labourers so employed were the prisoners. Madden was also employed as a kind of sub-steward to superintend some of the workpeople. It was the rule for them to go to their work at six o'clock in the morning, and, before commencing, to assemble at a little hut or shed. There Madden read over the names, to which each man present had to answer in turn.

On the morning of the 9th of July, Madden was proceeding with many other persons towards the hut, and when he came within nine or ten yards of it, a shot was fired from behind a little breastwork of branches and bark, about three feet high, which had been thrown up during the night.

The shot struck poor Madden, but did not kill him immediately, and he was enabled to run away. Three men fol-

lowed, and two more shots were fired at him as he ran along the road.

The most extraordinary thing about the affair is that all this occurred in the presence of some hundred people who were near the spot, but none attempted to arrest or pursue the murderers! The unfortunate man contrived to reach the place where he was lodging, and then, after the rites of the Church had been administered to him, he made a dying declaration that when the first shot was fired he distinctly saw Henry Cody discharge it, and that he at the same time clearly recognised the other prisoner as one of the men accompanying Henry. The other man he did not know.

On the morning of the murder the prisoners were not at their work as usual, but about twelve o'clock, and before the dying man's declaration was made, one of them returned, and on the following day both of them were at their work. As soon, however, as it was known that Madden had emitted a declaration, Philip and Henry Cody absconded, and although warrants were immediately issued, it was not until the 24th of August that Philip was arrested, while Henry managed to keep clear of the police until the 12th of September.

Such is the bare outline of this miserable crime, which would be hardly worth recording in our columns were it not for the terrible scene which took place at Clonmel when the two men were brought to the scaffold.

The law seemed to move somewhat slowly in those days. It will be observed that the murder took place on the 9th of July, 1847, the second of the prisoners was captured on the 12th of September, they were found guilty on the 29th of January, 1848, and on the 1st of March were led out to execution.

Along with them upon the fatal day there was also to suffer another culprit named John Lonergan, for the murder of a Mr. W. Roe, J.P.; but that is another story.

It was fair day in the town, and an enormous concourse of people had assembled from all the country round. At half-past ten o'clock the police of Clonmel and the stations of the district drew up, under the command of Mr. W. Fosberry, sub-inspector, in front of the prison, and began to clear away the crowd which had congregated round the gaol from an early hour. In a few moments afterwards the 47th Regiment of Foot and a troop of Light Dragoons, under the command of Lieutenant-Colonel Dundas, arrived, and formed in front and at the north and south angles of the gaol.

At this moment the masked hangman appeared on the drop, with a tin vessel filled with water and a bar of soap, and for a period of about fifteen minutes was engaged, in the face of the public, soaping and preparing the ropes—a feat which he performed in the most cool and deliberate manner, utterly disregarding the expressions of indignation, uttered in language both deep and loud by the numberless spectators who had assembled to witness the appalling spectacle.

When the wretch had performed his task, as if to show his contempt for the public, he leant back upon the iron railing of the trap, his head gently supported by his hand, and with apparent unconcern awaited the moment when he was to pounce upon his victims, quite unconscious of the part he was about to play in the bloody tragedy.

A few minutes after eleven o'clock, Philip Cody, who was cleanly and neatly attired, walked with a firm step on the fatal scaffold, and smiling on the vast crowd, said, "I'm dying hearty; we're quite hearty. Pray for our souls."

He spoke in a clear and loud tone, and then retraced his steps to the room whence he had advanced.

Poor Lonergan then came forward to the drop, assisted by the priest in attendance. He appeared perfectly resigned to his fate, and said:

"Pray that the Lord may have mercy on my soul."

The hangman then placed the rope round his neck, and the cap having been drawn over his face, the wretched man continued to call upon the Lord for mercy, striking his breast fervently; and during the frightful scene which followed, he remained in one position, calling on the Lord for forgiveness of his sins, seemingly quite unconscious of what was being enacted so close to him.

Philip Cody again appeared on the platform, praying and striking his breast, when a similar operation was performed upon him.

The executioner was in the act of arranging the noose of the third rope when the unfortunate culprit, Henry Cody, deliberately walked out on the scaffold, stooped down, and suddenly seizing the hangman about the body, lifted him up and endeavoured to throw him over the iron railing to the ground, which he was nearly effecting, being a powerfully-built, strong, and able-bodied man. The hangman screeched loudly for assistance, whilst he writhed in the powerful grasp of the maddened Cody, suspended in mid-air, and for a period of three minutes did he remain in this perilous position, his only safety resting in the upper bar of the platform, which he fortunately grasped in the death-struggle.

At length the gaol officials rushed to the rescue, and owing to Cody's arms being pinioned at the elbows, succeeded in rescuing Jack Ketch from the imminent danger with which he was threatened. In endeavouring to escape from off the drop, he received two severe kicks in the abdomen from Cody which made him roar awfully.

Lonergan never moved during this time, but Philip Cody loosed his hands and deliberately took the rope off his own neck, endeavouring to force his way through the bars in front of the drop.

The respected clergymen interfered, but for a few seconds their efforts were fruitless; owing, however, to the soothing influences of religion, their earnest exhortations soon appeared to have had effect.

Philip Cody then turned round, and addressing one of the turnkeys, asked, "Are you going to hang me?"

He then took his hand off the bar, and went back to the room by the persuasion of the clergymen who were in attendance on the condemned.

His unhappy brother was by this time manacled, hands and feet, and thrust out on the drop. Philip again came out, and again raised the cap from off his head, and opened the fatal noose, which was tightly drawn round his neck, saying, "You have me nearly choked already," and again grasped the iron railing of the drop.

Lonergan, during this awful scene, which occupied at least twenty minutes, continued in fervent prayer until the fatal bolt was withdrawn; Philip Cody still holding on by the bars of the drop until nature became exhausted—he could hold on no longer. He struggled fearfully for life, and in a few moments after, all that remained in this world of the unfortunate men were their lifeless bodies, which, after hanging the usual time, were cut down and interred within the precincts of the gaol.

What a horrible picture it is! Thank heaven, however, we are nowadays spared such horrors, and owing to more humanitarian methods, the victims of the law pass quietly and solemnly to their quicklime bed.

A Grateful Thief.

AT the Leinster Assizes, in 1831, Daniel O'Connell defended a highwayman, named Denis O'Halloran, and obtained his acquittal. About a year afterwards, O'Halloran was again in the dock, charged with housebreaking, and again he secured the services of the illustrious Daniel, who once more succeeded by his legal acumen and forensic skill in securing the discharge of the prisoner.

Soon after this the prisoner stole a collier brig, was arrested, committed for trial, and again secured O'Connell for his defence. On this occasion his counsel proved to the satisfaction of the court that the crime was committed on the high seas, and was, therefore, outside the jurisdiction of the court, and so, for the third time, the prisoner was released from durance vile. As soon as he heard the verdict of "Not Guilty," which the jury were instructed formally to render, O'Halloran raised his hands and eyes to heaven, and said to O'Connell, "Oh, may the Lord long spare you—to me!"

The Parson Had Spoken to Him.

AT the Limerick Assizes in 1883 a case of murder was tried, one of the witnesses being a boy who seemed very young and ignorant, and the judge thought that an examination into his knowledge and qualifications was necessary, so he began:

"Do you know, my lad, the nature of an oath?"

"No."

"Do you mean to say that you do not know what an oath is?"

"Yes."

"Do you know anything of the consequences of telling a lie?"

"No."

"No! What religion are you of?"

"A Protestant."

"Do you never go to church?"

"No."

"Do you never see your parson?"

"Yes."

"Did he never speak to you?"

"Oh, yes!"

"What did he say to you?"

"I met him on the mountain one day, and he bid me hold his horse, and be d——d to me."

"Go down," said the judge; "you're not fit to be sworn."

The JUDGE and JURY

PART I.

THE rules which regulate the mode in which questions of fact may be determined for judicial purposes are known as the "Rules of Evidence." Every criminal trial may have to answer two separate classes of questions, namely, questions of fact and questions of law. The accused person may plead guilty, and then there is no question of fact involved in the trial. If, however, he plead not guilty, he raises two questions or issues; first, whether what he is charged with did actually occur; secondly, what is the legal consequence of that occurrence, supposing that it took place. These two points are settled in a trial by jury by two different persons. The jury, under the guidance of the judge, find the facts. The judge lays down the law. A juryman is supposed to bring with him common sense, a general knowledge of human nature, and a knowledge of the ways of the world.

We will not now dwell on the fact that many juries have a fair knowledge of the judge who is trying the case, and a prisoner frequently gets full allowance for a judge's peculiarities. We have ourselves heard a judge tell a jury, "It was not a cold-blooded murder; it was a hot-blooded murder." When the jury returned to court the judge was carrying his black cap. For all that, the prisoner was acquitted of murder and found guilty of manslaughter.

A juryman, however, is not supposed to bring with him any special knowledge enabling him to answer the particular questions of fact raised in the trial. His knowledge of these matters is derived from what is proved to him at the hearing. The means of proof, or evidence, usually consists of statements made by witnesses under examination, or of documents produced for inspection, that is to say, oral or documentary evidence. A juryman may inspect anything produced in court as being material to his decision, or the jury may go to view any place, the sight of which may help them to understand the evidence—and it may make them thoroughly disbelieve the statements of certain witnesses. *Exempli gratia*, in the Colin Campbell case the jury went to verify the evidence of "O'Neil at the key-hole a-kneeling," while Sir Edward Clarke, K.C., utterly demolished some of the evidence against the young scion of the Braganzas, who was known in London as "The Austrian Prince." The former case necessitated a personal visit. Plans, sections and elevations sufficed in the latter instance.

There is no difference in principle between the method of inquiry in judicial and in extra-judicial proceedings. In either case the person who wishes to find out whether a particular event did or did not happen, tries in the first place to obtain statements from persons who were present and saw what happened (direct evidence), and, failing that, to obtain information from persons who can tell him about facts from which he can draw an inference as to whether the event did or did not happen (indirect evidence). Your private inquirer has no power to administer an oath. Now, in judicial inquiries the information must be given on oath (i.e., "oath" or "affirmation"), and be liable to be tested by cross-examination. Moreover, there are certain rules of law which exclude from the consideration of a jury particular classes of indirect evidence, which an ordinary inquirer would pay attention to. Statements so excluded are termed "not admissible as evidence," or "not evidence."

The answer to the question why particular statements should be excluded from evidence in judicial inquiries is that their exclusion has been found by practical experience to be useful on various grounds, and notably on the following:

(1.) It assists the jury.
(2.) It secures fair play to the accused.
(3.) It protects absent persons.
(4.) It prevents waste of time.

It assists the jury by concentrating their attention on the questions immediately before them, and preventing them from being distracted or bewildered by facts which have no bearing on the question before them, or have so remote a bearing on those questions as to be practically useless as guides to the truth, and keeps the jury from being misled by statements, the effect of which, through the prejudice which they excite, is out of all proportion to their true weight. It secures fair play to the accused, because he comes to the trial prepared to meet a specific charge, and ought not to be suddenly confronted by statements which he had no reason to expect would be made against him. (Melodramatists, please take note.) It protects absent persons against statements prejudicial to their characters. Lastly, it prevents the infinite waste of time which would ensue if the discussion of a question of fact in a court were allowed to branch out into all the subjects with which that fact is more or less connected. Coroners seem to have a fondness for "flowers that bloom in the spring and have nothing to do with the case," coroners' jurors, if it were possible, rather more so. Many a country coroner of the olden times (not quite gone) was distinctly "no class," and was spoiling for a cow-hiding, which, somehow or other, the general public neglected to give him.

The principal matters with which the Rules of Evidence are concerned may be classified as follows:

(i.) What must be proved.
(ii.) What facts are assumed to be known.
(iii.) By which side proof must be given.
(iv.) What statements are admissible as evidence.
(v.) When admissions or confessions may be admitted as evidence.
(vi.) Who may give evidence.
(vii.) What questions need not be answered and what documents need not be produced.
(viii.) How evidence is to be given.

The seventh of those points raises the question, "What redress has a witness against a barrister who deliberately asks a witness an irrelevant question, such as was asked in the 'Savoy Hotel Case,' i.e., 'Was your husband an officer in the navy of some country or other?'" Well, a letter to the "Times" or five minutes' talk and a couple of whiskies-and-sodas with a law-reporter are our national safeguard against oppression. Even a judge is liable to trial at the bar of public opinion, and a few bracketed phrases such as "Sensation," or "Murmurs of surprise at the back of the court," may make a martyr of an individual reporter by getting him excluded, but they keep your privileged legal monopolists in order—and they don't forget it.

The Lawyers Got It.

A BANKRUPT was once being examined as to how he had spent certain money. About £3,000 was to be accounted for, and young Mr. Shee, putting on a look of great severity, said, "Now, sir, I want you to tell the court and jury how you used the £3,000."

The bankrupt's face assumed a serio-comic expression, as winking to the audience he replied, "Oh, the lawyers got that."

The judge and jury were convulsed with laughter, and the young barrister sat down abashed, and evidently believed that he need not go further into details.

He Could Smell Pitch.

TWO brothers were tried at the Ennis Assizes in the year 1829 for arson, having attempted to set fire to the police barracks by igniting a jar of pitch. Daniel O'Connell defended the prisoners, and before the court opened, he had a skillet of pitch secretly placed near the witness box, and concealed by his hat.

The chief witness for the prosecution swore that he discovered the barracks on fire, and knew they had been set on fire by pitch, as he could smell it. Then O'Connell commenced his cross-examination.

"You know the smell of pitch, then?"

"I do, well."

"You seem to be a man able to smell pitch anywhere?"

"Yes, anywhere I found it."

"Even here, in this courthouse, if it was here?"

"No doubt I would."

"And do you swear you don't get the smell of pitch here?"

"I do solemnly. If it was I'd smell it."

Then O'Connell took his hat off the skillet of pitch, which was close to the witness, and, holding it up to the jury, said to the witness, "Now, you may go down, you perjured rascal! Go down!"

The jury disbelieved the evidence of the witness, and brought in a verdict of "Not Guilty."

Leaves from Our Notebook.

Beards and Consciences.

MR. JUSTICE MELLOR was clean-shaven, and at the Liverpool Winter Assizes in 1875 a witness in a case gave evidence which was not at all pleasing to the learned judge. At last he turned to the witness, who wore a very long and patriarchal-looking beard, and said, "If your conscience is as large as your beard, you'll swear anything." The old man replied, "My lord, if your lordship measures consciences by beards, your lordship has none at all."

He Was Not Present.

AT the Lancaster Assizes in 1873 William Fernihough was tried for highway robbery and acquitted. His counsel had, during the trial, several times told a witness, who was a noted bad character, that he must state nothing which had not occurred in the presence of the prisoner. When the witness's cross-examination commenced he was asked: "Pray, how often have you been transported?" To which he replied, "I must not tell that, for it was not in the presence of the prisoner."

He Had to Shut Up.

AT the Liverpool Autumn Assizes in 1877 Mr. Samuel Pope, Q.C., was addressing the jury in the Nisi Prius Court, St. George's Hall, and spoke so loudly that Judge Mellor, who presided in the Crown Court at the other end of the hall, when delivering his charge to the jury, inquired what the noise was. On being informed that Mr. Pope was opening a case in the Nisi Prius Court, the judge said:

"Very well; since Brother Pope is opening, I must shut up," and at once directed the huge metal doors of the court to be closed.

The Judge Was Touched.

AT the Winchester Assizes a Captain Sooper was tried for murder. It appears that the captain had been challenged by another officer to fight a duel, had killed his antagonist, and was indicted for murder. At the time it was deemed dishonourable, especially for an officer, not to fight, and the prisoner had been led to think that he would either be acquitted or only found guilty of manslaughter. Justice Dampier charged the jury, who found the prisoner guilty of murder. At this unexpected verdict, the prisoner fell down in a fit. On recovering, he apologised to the Court, and then addressed the judge, saying that his only interest was to leave a soldier's name unstained to his wife and family, and that the rules of the service compelled him to fight or be utterly ruined, and he was quite blameless throughout. The judge, to the general astonishment, pronounced the capital sentence, whereupon the prisoner exclaimed, "And for this I am to be led to execution like the vilest felon and murderer!" The judge, stung once more by this appeal, which all those in Court deemed irresistible, turned to the High Sheriff, and said in an undertone, "I'll be d——d if you shall!" At that time it was the rule never to execute a prisoner if the judge expressed disapproval. The judge remained firm, and, after some correspondence, the prisoner received a pardon.

Instances of Revenge.

IT is commonly said that "revenge is sweet," but surely it can be only so to those weak minds who are incapable of supporting an injury, and the few instances which we herewith give will prove that an elevated mind is superior to injuries, and pardons them, whilst revenge is but the vice of children and fools.

The Emperor Adrian, meeting a man who had insulted him before he had obtained the government of the empire, said: "Approach, you have nothing to fear from me—I am an emperor."

The fanatic Felton, who killed the Duke of Buckingham, was so revengeful that when he once challenged a gentleman who had offended him, and was afraid that the superior rank of his enemy would make him refuse the challenge, he sent him, at the same time, one of his fingers which he had cut off himself.

"I would have him know," said he, "of what that man who can cut himself to pieces is capable to revenge an injury."

An Italian, who had quarrelled with one of his neighbours, became dangerously ill, and his physicians gave up all hopes of his recovery. This was told to his enemy, who immediately went to his house, and asked to see him; when he was told that he was dying, he ran quickly to his room, saying, "He shall not die but by my hands!" and, approaching the bedside, he stabbed the sick man and ran away. The wounded patient lost a great quantity of blood, but, strange to say, it had exactly the opposite effect that was intended, for the effusion saved his life, and he was eventually restored to perfect health.

Another Italian, ten years after receiving an injury, was informed that his enemy, whom he had been seeking, was gone to the East Indies. He immediately went after him, and, finding him in a situation in which he was unable to defend himself, deliberately assassinated him.

A French nobleman had a large park, wherein he kept a number of stags, and gave his servants strict injunctions not to kill any of them. One of the servants was unfortunate enough to break this command, for in attempting to get some other game he, without the least intent, killed one of the stags, which had concealed itself in the bushes. The poor fellow, dreading his master's anger, ran away, embarked for Genoa, and was taken prisoner by the Algerines. The Frenchman being informed, some time after, that his servant was a slave at Algiers, went immediately to Cardinal Janson, who was at Rome, and desired him to use his influence with the French Consul to ransom the man, let it be whatever sum they asked.

The Cardinal, delighted with this generosity, wrote at once to the Consul, who ransomed the slave directly, and sent him to Rome. The nobleman thanked his Eminence, paid him the money for the ransom, and some days after ordered his miserable servant to be killed. He had only emancipated him from the shackles of slavery to be revenged on him for his disobedience, involuntary as it was.

Answers to Correspondents

The Editor will be pleased to answer any suitable questions.

JACK TAR.—The story of the Lennie Mutineers will be told in an early number.

RUSHTON.—"The Stratford Murder" took place in 1871. Michael Campbell was the culprit.

M. V. P.—Felony is a crime which in olden times would have been followed, on conviction, by forfeiture of all property.

CONSTANT READER.—If you had read Numbers 7, 8, and 9 of "FAMOUS CRIMES," you would have there found the history of Eugene Aram.

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FORTY YEARS BILIOUS.

Remarkable Cure effected by Bile Beans.

"I OFFERED £20 to one doctor if he could cure me, but he said that neither he nor any one else could do that. IT WOULD BE AN IMPOSSIBILITY. Ever since I can remember (broadly speaking, for more than 40 years), I suffered from severe bilious attacks." These are the words of Mrs. Coxon, of 55 Kensington Road, Southport, who was speaking to a "Southport Visitor" reporter. Continuing the interesting story of her wonderful cure, Mrs. Coxon, who is sixty-seven years of age, said: "During this lengthy period for days together I was in ceaseless agony, and could not hold up my head. My stomach refused absolutely to retain food, and at intervals I had ague fits, which the doctor said were caused by nothing but my bilious condition. You can imagine the chronic state of my liver when I say I have passed gall-stones no less than three times. The coating came off my stomach, and I could digest nothing at all. In search of a cure I have spent scores of pounds on medicines, and, as I have said, I offered one doctor £20 if he could cure me. It was in vain, however. Life was a misery, and I really feel that had I not been brought in touch with Bile Beans I should have died. Bile Beans first came under my notice through a woman at Fenton, Staffordshire, where my daughter lives. That woman was cured of what appeared to be a similar complaint to mine, so I thought I would try them. I am more than thankful to say I did. I took them for a long time, and, as I said to my husband at the time, they certainly seemed to be doing me good, and removing the cause of my illness. I persevered with them, and kept on getting better and better, until you see what I am to-day. I am so much improved in health and strength that I have been able to dispense with a servant. For forty years I was obliged to have some one to do my housework; yet now, at my age, I am able to do it myself, and find pleasure in the exercise. Had I not taken Bile Beans as I have said, I should, I feel sure, not now have been alive. I do not need to take them regularly now, but if ever I feel the slightest bit out of sorts I take a couple of doses, and am quite well again. I have given doses of the Beans to all my neighbours, and am pleased to recommend to any sufferer who is like I was."

Mrs Jane Coxon.
(From a photo by W.G.Mercer & Son, Southport.)

SWORN DECLARATION.

"I, JANE COXON, of 55 Kensington Road, Southport, in the County of Lancashire, do solemnly and sincerely declare as follows:—I have suffered for over forty years from biliousness indigestion, acute headache, and weakness brought on by these ailments. For days together I have been almost unable to hold up my head. At one time my indigestion was so severe that everything I took had to come up again and I was told the coating had come off my stomach. Sometimes, when suffering from biliousness, I would have shivering fits, which would come on at intervals of a few minutes. My liver was out of order, and in recent years I suffered from gall stones. On three occasions I passed these stones. I offered twenty pounds to one doctor if he could cure me, and he assured me that neither he nor any one else could do that. It was an impossibility. I believe that had it not been for Charles Forde's Bile Beans I should have died. This medicine was brought to my notice by a woman living at Fenton, in Staffordshire, where my daughter lives. Bile Beans cured that woman when all other remedies had failed, and on her recommendation I decided to try them. I gave them a fair trial; persevered with their use, acted in accordance with the instructions given with them, and the result is they have now cured me. So great and beneficial has been their effect upon me, that, whereas for forty years I was obliged to have some one to do my household work for me, now, at the advanced age of sixty-seven, I am sufficiently strong and healthy to dispense with a servant, and do all my own work. I am only too pleased to tell any sufferers what I have found out about the wonderful power of this great vegetable medicine.

"And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declaration Act. 1835.

(Signed) *Jane Coxon.*

Declared by the said Jane Coxon, at Southport, in the County Lancashire this 8th day of May, 1903, before me. (Signed)

R. A. Wilson Fletcher

(Commissioner for Oaths).

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